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नई दिल्ली, शनिवार, अप्रैल 11, 1987/चैत्र 21, 1909

No. 15]

NEW DELHI, SATURDAY, APRIL 11, 1987/CHAITRA 21, 1909

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as
a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India (other than the
Ministry of Defence)

विधि और न्याय मंत्रालय
(विधि कार्य विभाग)

नई दिल्ली, 23 मार्च, 1987

सूचना

का. आ. 9/9:—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री रामचन्द्र शंकर पुरनडारे, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे पूर्ण में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं. एफ 5(25)/87 - न्या.]

MINISTRY OF LAW AND JUSTICE

(Department of Legal Affairs)

New Delhi, the 23rd March, 1987

NOTICE

S.O. 929.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries, 1956, that application has been made to the said Authority, under

1798 GI/86—1

rule 4 of the said Rules, by Shri Ramchandra Shanker Purandare Advocate for appointment as a Notary to practice in Pune.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No .F. 5(25)|87-Judl.]

नई दिल्ली, 24 मार्च, 1987

सूचना

का. आ. 930 :—नोटरीज नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री महेश चन्द्र चतुर्वेदी एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन इस बात के लिए दिया है कि उसे सीतापुर में व्यवसाय करने के लिए नोटरी में रूप में नियुक्त किया जाए।

2 उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं. एफ 5(23)/87-न्या.]

(1435)

New Delhi, the 24th March, 1987

NOTICE

S.O. 930.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Mahesh Chandra Chaturvedi, Advocate for appointment as a Notary to practice in Sitapur (UP).

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(23)/87-Judl.]

का. आ. 931:—नोटरी नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री कान्तिलास एस. जोशी, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन हम बात के लिए दिया है कि उसे आविपुर, गांधीधाम, कांडला, आविपुर गांव में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं. एफ. 5(27)/87-न्या.]

S.O. 931.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Kanti Lal S. Joshi, Advocate for appointment as a Notary to practise in Adipur Gandhidham, Kandla, other near village of adipur in Kutch Distt.

2. Any objection in the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. F. 5(27)/87-Judl.]

नई दिल्ली, 25 मार्च, 1987

का. आ. 932:—नोटरी नियम, 1956 के नियम 6 के अनुसरण में सक्षम प्राधिकारी द्वारा यह सूचना दी जाती है कि श्री करन सिंह कोठारी, एडवोकेट ने उक्त प्राधिकारी को उक्त नियम के नियम 4 के अधीन एक आवेदन हम बात के लिए दिया है कि उसे उदयपुर में व्यवसाय करने के लिए नोटरी के रूप में नियुक्त किया जाए।

2. उक्त व्यक्ति की नोटरी के रूप में नियुक्ति पर किसी भी प्रकार का आक्षेप इस सूचना के प्रकाशन के चौदह दिन के भीतर लिखित रूप में मेरे पास भेजा जाए।

[सं. एफ. 5(28)/87-न्या.]

आर. एन. पोद्दार, सक्षम प्राधिकारी

New Delhi, the 25th March, 1987

S.O. 932.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Karan Singh Kathari, Advocate for appointment as a Notary to practise in Udaipur.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this Notice.

[No. 5(28)/87-Judl.]

R. N. PODDAR, Competent Authority.

गृह मंत्रालय

नई दिल्ली, 24 मार्च, 1987

का. आ. 933.—केन्द्रीय सरकार का समाधान हो गया है कि लोकहित में ऐसा करना आवश्यक है,

अतः अब केन्द्रीय सरकार, केन्द्रीय विक्रय कर अधिनियम, 1956 (1956 का 74) की धारा 8 की उपधारा (5) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निदेश देती है कि दिल्ली के मैसर्स पुष्करणा सेल्स लिमिटेड और मैसर्स ग्रीम्स काटन एण्ड कम्पनी लिमिटेड द्वारा 5,16,681.80 रुपए के उनके बिल सं. पी एस/85 (आई)-1089 तारीख 27-7-1985-पी एस/85 (आर)-1098 तारीख 21-8-1985, 31/31/102/3488 तारीख 7-3-1986 और 31/31/2506/3833 तारीख 31-3-1986 से संबंधित माल के विक्रय की बाबत जो लेह लद्दाख के तिब्बती एस. ओ. एस. बाल ग्राम के साथ अन्तर्राज्यीय व्यापार या वाणिज्यिक के क्रम में किया गया था, जिसमें डीजल पम्प सेट और उसके आनुषंगिक पुर्ण समाविष्ट हैं का कोई कर संदेय नहीं है। उक्त माल पर अधिरोपित 46,852.89 रुपए (छियासी हजार आठ सौ बाबत रुपए और नवासी पैसे) के केन्द्रीय विक्रय कर की रकम नीटा दी जाएगी।

[फा. सं. यू-15034/4/85-दिल्ली]

सतीश चन्द्र, निदेशक, (दिल्ली)

MINISTRY OF HOME AFFAIRS

New Delhi, the 24th March, 1987

S.O. 933.—Whereas the Central Government is satisfied that it is necessary in the public interest so to do;

S.O. 933.—Whereas the Central Government is satisfied sub-section (5) of section 8 of the Central Sales Tax Act, 1956 (74 of 1956), the Central Government hereby directs that no tax shall be payable by Messrs Pushkarna Sales Private Limited, and Messrs Greaves Cotton and Company Limited of Delhi in respect of sale of goods relating to their bill Nos. PS/85(R) 1089 dated 27-7-1985, PS/85(R) 1098 dated 21st August, 1985, 31/31/102/3488 dated 7th March, 1986 and 31/31/2506/3833 dated 31st March, 1986, made in course of inter-state trade or commerce, to the Tibetan SOS Children's village, of Leh-Ladakh, which comprise diesel pump set and its accessories, amounting to Rs. 5,16,681.80 The Central Sales Tax imposed on the said goods, amounting to Rs. 46,852.89 (Rupees Forty-six Thousand Eight-hundred and Fifty-two and Paise Eightynine) shall be refunded.

[F. No. U-15034/4/85-Delhi]

SATISH CHANDRA, Director (Delhi)

नई दिल्ली, 1 अप्रैल, 1987

का. आ. 934.—राष्ट्रपति, संविधान के अनुच्छेद 77 के खंड (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, अधिप्रमाणन (आदेश और अन्य लिखतें) नियम, 1958 का और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात्:—

1. (1) इन नियमों का संक्षिप्त नाम अधिप्रमाणन (आदेश और अन्य लिखतें) द्वारा संशोधन नियम, 1987 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. अधिप्रमाणन (आदेश और अन्य लिखतें) नियम, 1958 की अनुसूची में, "गृह मंत्रालय" शीर्षक के नीचे प्रविष्टि 10 के पञ्चाश निम्नलिखित प्रविष्टि अन्तः स्थापित की जाएगी अर्थात्:—

"1. राष्ट्रीय सुरक्षा गारंटी

उप महानिरीक्षक (प्रणा.)/पुष्कमांडर (स्था.)"

[सं. 23/1/87-पब्लिक]

सूचना सौजन्य, संयुक्त सचिव

टिप्पण:—यह नियम, भारत के राजपत्र, भाग II, खंड 3, उपखंड (ii) में अधिसूचना सं. 2297, तारीख 3 नवम्बर, 1958 द्वारा प्रकाशित किए गए थे, पञ्चावर्ती संशोधन भारत के राजपत्र,

भाग II, खंड 3, उपखंड (ii) में प्रकाशित अधिसूचना सं. 3406, तारीख 24 अक्टूबर, 1970 द्वारा किया गया और उनका निम्नलिखित द्वारा समय-समय पर संशोधन किया गया है :—

- 1 का. आ. सं. 1270 तारीख 27-3-1971
- 2 का. आ. सं. 1271 तारीख 27-3-1971
- 3 का. आ. सं. 1521 तारीख 10-4-1971
- 4 का. आ. सं. 1668 तारीख 24-4-1971
- 5 का. आ. सं. 2996 तारीख 11-8-1971
- 6 का. आ. सं. 3408 तारीख 15-9-1971
- 7 का. आ. सं. 5079 तारीख 3-11-1971
- 8 का. आ. सं. 5239 तारीख 23-11-1971
- 9 का. आ. सं. 5252 तारीख 29-11-1971
- 10 का. आ. सं. 5594 तारीख 30-12-1971
- 11 का. आ. सं. 210(अ) तारीख 18-3-1972
- 12 का. आ. सं. 299(अ) तारीख 18-4-1972
- 13 का. आ. सं. 327(अ) तारीख 29-4-1972
- 14 का. आ. सं. 513(अ) तारीख 31-7-1972
- 15 का. आ. सं. 568(अ) तारीख 30-8-1972
- 16 का. आ. सं. 716(अ) तारीख 18-11-1972
- 17 का. आ. सं. 23(अ) तारीख 17-1-1973
- 18 का. आ. सं. 354(अ) तारीख 25-6-1973
- 19 का. आ. सं. 2653 तारीख 22-9-1973
- 20 का. आ. सं. 507(अ) तारीख 19-9-1973
- 21 का. आ. सं. 519(अ) तारीख 26-9-1973
- 22 का. आ. सं. 552(अ) तारीख 19-10-1973
- 23 का. आ. सं. 724(अ) तारीख 1-12-1973
- 24 का. आ. सं. 263(अ) तारीख 26-4-1974
- 25 का. आ. सं. 321(अ) तारीख 24-5-1974
- 26 का. आ. सं. 265(अ) तारीख 18-6-1975
- 27 का. आ. सं. 140(अ) तारीख 25-2-1976
- 28 का. आ. सं. 195(अ) तारीख 15-3-1976
- 29 का. आ. सं. 348(अ) तारीख 14-5-1976
- 30 का. आ. सं. 480(अ) तारीख 19-7-1976
- 31 का. आ. सं. 493(अ) तारीख 24-7-1976
- 32 का. आ. सं. 599(अ) तारीख 6-9-1976
- 33 का. आ. सं. 698(अ) तारीख 30-10-1976
- 34 का. आ. सं. 19(अ) तारीख 12-1-1977
- 35 का. आ. सं. 228(अ) तारीख 10-3-1977
- 36 का. आ. सं. 2255(अ) तारीख 24-3-1977
- 37 का. आ. सं. 408(अ) तारीख 23-6-1977
- 38 का. आ. सं. 603(अ) तारीख 2-8-1977
- 39 का. आ. सं. 649(अ) तारीख 3-9-1977
- 40 का. आ. सं. 320(अ) तारीख 12-5-1978
- 41 का. आ. सं. 419(अ) तारीख 30-6-1978
- 42 का. आ. सं. 2914 तारीख 7-10-1976
- 43 का. आ. सं. 598(अ) तारीख 19-10-1978
- 44 का. आ. सं. 576 तारीख 17-2-1979
- 45 का. आ. सं. 1020 तारीख 24-3-1979
- 46 का. आ. सं. 338(अ) तारीख 7-6-1979
- 47 का. आ. सं. 3569 तारीख 27-10-1979
- 48 का. आ. सं. 852(अ) तारीख 18-12-1979
- 49 का. आ. सं. 245(अ) तारीख 11-4-1980
- 50 का. आ. सं. 543(अ) तारीख 7-7-1981
- 51 का. आ. सं. 768(अ) तारीख 23-10-1981
- 52 का. आ. सं. 917(अ) तारीख 28-12-1981
- 53 का. आ. सं. 428(अ) तारीख 13-3-1983

- 54 का. आ. सं. 563(अ) तारीख 8-8-1983
- 55 का. आ. सं. 639(अ) तारीख 5-9-1983
- 56 का. आ. सं. 795(अ) तारीख 7-11-1983
- 57 का. आ. सं. 174(अ) तारीख 21-3-1984
- 58 का. आ. सं. 1(अ) तारीख 3-1-1984
- 59 का. आ. सं. 2(अ) तारीख 5-1-1985
- 60 का. आ. सं. 799(अ) तारीख 30-10-1985
- 61 का. आ. सं. 46(अ) तारीख 4-2-1986

New Delhi, the 1st April, 1987

S.O. 934.—In exercise of the powers conferred by clause (2) of article 77 of the Constitution, the President hereby makes the following rules further to amend the Authentication (Orders and other Instruments) Rules, 1958, namely:—

1. (1) These rules may be called the Authentication (Orders and other Instruments) Second Amendment Rules, 1987.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Schedule to the Authentication (Orders and other Instruments) Rules, 1958, under the heading "Ministry of Home Affairs", after entry 10, the following entry shall be inserted, namely:—

"11. National Security Guard.

Deputy Inspector
General (Admn.)/
Group Commander
(Estt.)".

[No. 23/1/87-Pub.]

SUJATA CHAUHAN, Jt. Secy.

Note:—Principal rules published vide Notification No. 2297, dated the 3rd November, 1958, Gazette of India Part II, Section 3, Sub-section (ii), subsequently amended vide Notification No. 3406 dated the 24th October, 1970, published in Part II, Section 3, Sub-section (ii) have been amended from time to time vide:—

1. S.O. No. 1270 dated 27-3-1971
2. S.O. No. 1271 dated 27-3-1971
3. S.O. No. 1521 dated 10-4-1971
4. S.O. No. 1668 dated 24-4-1971
5. S.O. No. 2996 dated 11-8-1971
6. S.O. No. 3408 dated 15-9-1971
7. S.O. No. 5079 dated 3-11-1971
8. S.O. No. 5239 dated 23-11-1971
9. S.O. No. 5252 dated 29-11-1971
10. S.O. No. 5594 dated 30-12-1971
11. S.O. No. 210(E) dated 18-3-1972
12. S.O. No. 299(E) dated 18-4-1972
13. S.O. No. 327(E) dated 29-4-1972
14. S.O. No. 513(E) dated 31-7-1972
15. S.O. No. 568(E) dated 30-8-1972
16. S.O. No. 716(E) dated 18-11-1972
17. S.O. No. 23(E) dated 17-1-1973
18. S.O. No. 354(E) dated 25-6-1973
19. S.O. No. 2683 dated 22-9-1973
20. S.O. No. 507(E) dated 19-9-1973
21. S.O. No. 519(E) dated 26-9-1973
22. S.O. No. 552(E) dated 19-10-1973
23. S.O. No. 724(E) dated 1-12-1973
24. S.O. No. 263(E) dated 26-4-1974
25. S.O. No. 321(E) dated 24-5-1974
26. S.O. No. 265(E) dated 18-6-1975
27. S.O. No. 140(E) dated 25-2-1976
28. S.O. No. 195(E) dated 15-3-1976
29. S.O. No. 348(E) dated 14-5-1976
30. S.O. No. 480(E) dated 19-7-1976
31. S.O. No. 493(E) dated 24-7-1976
32. S.O. No. 599(E) dated 6-9-1976
33. S.O. No. 698(E) dated 30-10-1976

34. S.O. No. 19(E) dated 12-1-1977
35. S.O. No. 228(E) dated 10-3-1977
36. S.O. No. 255(E) dated 24-3-1977
37. S.O. No. 408(E) dated 23-6-1977
38. S.O. No. 603(E) dated 2-8-1977
39. S.O. No. 649(E) dated 3-9-1977
40. S.O. No. 320(E) dated 12-5-1978
41. S.O. No. 419(E) dated 30-6-1978
42. S.O. No. 2914 dated 7-10-1978
43. S.O. No. 598(E) dated 19-10-1978
44. S.O. No. 576 dated 17-2-1979
45. S.O. No. 1020 dated 24-3-1979
46. S.O. No. 338(E) dated 7-6-1979
47. S.O. No. 3569 dated 27-10-1979
48. S.O. No. 852(E) dated 18-12-1979
49. S.O. No. 245 (E) dated 11-4-1980
50. S.O. No. 543(E) dated 7-7-1981
51. S.O. No. 768(E) dated 23-10-1981
52. S.O. No. 917(E) dated 28-12-1981
53. S.O. No. 428(E) dated 13-6-1983
54. S.O. No. 563(E) dated 8-8-1983
55. S.O. No. 639(E) dated 5-9-1983
56. S.O. No. 795(E) dated 7-11-1983
57. S.O. No. 174(E) dated 21-3-1984
58. S.O. No. 1(E) dated 3-1-1984
59. S.O. No. 2 dated 5-1-1985
50. S.O. No. 799(E) dated 30-10-1985
61. S.O. No. 46(E) dated 4-2-1986

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 12 फरवरी, 1987

प्रायकर

का. प्रा. 935.—प्रायकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खंड (44) के उपखंड (iii) के अनुसरण में और भारत सरकार के राजस्व विभाग की दिनांक 18-2-1984 की अधिसूचना सं. 5649 का अधिलेखन करते हुए, केन्द्रीय सरकार श्री एल. के. सोनी, को जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अंतर्गत दिनांक 24-6-1985 से कर वसूली अधिकारी की शक्तियों का प्रयोग करने हेतु कार्यपरान्त प्राधिकृत करती है।

[सं. 7132 का. सं. 398/32/85 - आ. क. (ब.)]

बी. ई. अलेक्जेंडर, अवर सचिव

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 12th February, 1987

INCOME-TAX

S.O. 935.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 5649 dated 18th February, 1984 the Central Government authorises ex-post-facto Shri L. K. Soni, being a Gazetted officer of the Central Government, to exercise the powers of a Tax Recovery Officer, under the said Act, with effect from 24-6-1985.

[No. 7132/F. No. 398/32/85-IT(B)]

B. E. ALEXANDER, Under Secy.

नई दिल्ली, 4 मार्च, 1987

प्रायकर

का. प्रा. 936.—प्रायकर अधिनियम, 1961 (1961 का 43) की धारा 193 के परन्तुक के खंड (ii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त खंड के प्रयोजनार्थ

हाऊसिंग डिवेलपमेंट फाइनेंस कारपोरेशन लिमिटेड, बम्बई द्वारा जारी किए गए "एच. डी. एफ. सी.—12.5% बॉन्ड्स (1997)" को विनि-दिष्ट करती है।

[सं. 7210/का. सं. 275/52/86-आ. क. (ब.)]

बी. नागराजन, निदेशक

New Delhi, the 4th March, 1987

INCOME-TAX

S.O. 936.—In exercise of the powers conferred by clause (iib) of the proviso to section 193 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby specifies the "HDFC-12.5% Bonds (1997)" issued by the Housing Development Finance Corporation Limited, Bombay, for the purpose of the said clause.

[No. F. No. 275/52/86-IT(B)]

B. NAGARAJAN, Director

नई दिल्ली, 27 मार्च, 1987

का. प्रा. 937.—केन्द्रीय सरकार को यह राय है कि केन्द्रीय उत्पाद-शुल्क कलक्टरेट, चंडीगढ़ (केन्द्रीय उत्पाद-शुल्क और सीमा-शुल्क बोर्ड) के निरीक्षक श्री विजय बहादुर सिंह और श्री एस. के. लूथरा के विरुद्ध विभागीय जांच के प्रयोजनों के लिए, जांच में उल्लिखित व्यक्तियों को साक्षियों के रूप में समन करना या उनसे किसी दस्तावेज की मांग करना आवश्यक है;

अतः केन्द्रीय सरकार, विभागीय जांच (साक्षियों को हजरि कराना तथा दस्तावेज पेश करना) अधिनियम, 1972 (1972 का 18) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, जांच प्राधिकारी श्री सी. आर. विज, अधीक्षक, केन्द्रीय उत्पाद-शुल्क रेंज, वर्का को पूर्वोक्त व्यक्तियों के संबंध में, उक्त अधिनियम की धारा 5 में विनिर्दिष्ट शक्ति का प्रयोग करने के लिए प्राधिकृत करती है।

[का.सं.सी. 11016/75/86-प्र.आ.-V]

विजय सिंह, अवर सचिव

New Delhi, the 27th March, 1987

S.O. 937.—Whereas the Central Government is of opinion that for the purpose of the departmental enquiry against Shri Vijay Bahadur Singh and Shri S. K. Luthra, Inspectors of the Collectorate of Central Excise, Chandigarh (Central Board of Excise and Customs), it is necessary to summon as witness, or call for any documents from the persons cited in the enquiry;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Departmental Inquiries (Enforcement of Attendance of Witnesses and Production of Documents) Act, 1972 (18 of 1972), the Central Government hereby authorises the inquiring authority, Shri C. R. Vij, Superintendent, Central Excise Range, Verka, to exercise the power specified in section 5 of the said Act in relation to the persons aforesaid.

[F. No. C-11016/75-86-Ad. V]

VIJAY SINGH, Under Secy.

(प्राधिकार्य विभाग)

(बैकिंग प्रभाग)

नई दिल्ली, 13 मार्च, 1987

का. प्रा. 938.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबन्ध) योजना, 1980 की धारा 3 की उपधारा (ज) के अनुसरण में, केन्द्रीय सरकार, वित्त मंत्रालय, प्राधिकार्य विभाग (बैकिंग प्रभाग), नई दिल्ली के निदेशक श्री एस.एम. हसूरकर को एतद्वारा कारपोरेशन बैंक के निदेशक के रूप में पुनः नियुक्त करती है।

[सं. एक. 9/2/87-बी.प्रो.-I]

एम. एस. सीतारामन, अवर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 13th March, 1987

S.O. 938.—In pursuance of sub-clause (h) of clause 3 of the Nationalised Banks (Management & Miscellaneous Provisions) Scheme, 1980, the Central Government hereby re-appoints Shri S. S. Hasurkar, Director, Ministry of Finance, Department of Economic Affairs (Banking Division), New Delhi as a Director of the Corporation Bank.

[No. F. 9/2/87-BO.]

M. S. SEETHARAMAN, Under Secy.

नई दिल्ली, 20 मार्च, 1987

का. भा. 939.—भारतीय औद्योगिक विकास बैंक अधिनियम, 1964 (1964 का 18) की धारा 6 की उपधारा (1) के खंड (ग) के उपखंड (1) के अनुसरण में केन्द्रीय सरकार एतद्वारा श्रीमती ओतिमा बोडिया, सचिव, औद्योगिक विकास विभाग, उद्योग मंत्रालय, नई दिल्ली को भारतीय औद्योगिक विकास बैंक का निदेशक नामित करती है।

[संख्या एक. 7/1/87-बी.ओ.-1]

New Delhi, the 20th March, 1987

S.O. 939.—In pursuance of sub-clause (i) of clause (c) of sub-section (1) of section 6 of the Industrial Development Bank of India Act, 1964 (18 of 1964), the Central Government hereby nominates Smt. Otima Bordia, Secretary, Department of Industrial Development, Ministry of Industry, New Delhi as the Director of the Industrial Development Bank of India.

[No. F. 7/1/87-BO-I]

का. भा. 940.—भारतीय निर्यात-आयात बैंक अधिनियम, 1981 (1981 का 28) की धारा 6 की उपधारा (1) के खंड (ड) के उपखंड (1) के अनुसरण में केन्द्रीय सरकार एतद्वारा श्रीमती ओतिमा बोडिया, सचिव, औद्योगिक विकास विभाग, उद्योग मंत्रालय, नई दिल्ली को भारतीय निर्यात-आयात बैंक के निदेशक मण्डल में निदेशक के रूप में नामित करती है।

[संख्या एक. 7/3/87-बी.ओ.-1]

S.O. 940.—In pursuance of sub-clause (i) of clause (c) of sub-section (1) of section 6 of the Export-Import Bank of India Act, 1981 (28 of 1981), the Central Government hereby nominates Smt. Otima Bordia, Secretary, Department of Industrial Development, Ministry of Industry, New Delhi as a Director of the Board of Directors of the Export-Import Bank of India.

[No. 7/3/87-BO-I]

नई दिल्ली, 25 मार्च, 1987

का. भा. 941.—भारतीय निर्यात-आयात बैंक अधिनियम, 1981 (1981 का 28) की धारा 6 की उपधारा (1) के खंड (ड) के उपखंड (iii) के अनुसरण में केन्द्रीय सरकार एतद्वारा, निम्नलिखित व्यक्तियों को 1 अप्रैल, 1987 से प्रारम्भ होने वाली और 31 मार्च, 1989 को समाप्त होने वाली 2 वर्ष की अवधि के लिए भारतीय निर्यात-आयात बैंक के निदेशक मण्डल में निदेशक के रूप में नामित करती है:—

1. श्री डी. वी. कपूर,
अध्यक्ष, राष्ट्रीय उत्पादकता परिषद्,
12, तुगलक सेन,
नई दिल्ली-110 011
2. श्री एस. के. अमीन,
येम्केरे,
मंगलोर-575 001

[संख्या एक-7/7/85-बी.ओ.-I]

एम.एस. हसूरकर, निदेशक

New Delhi, the 25th March, 1987

S.O. 941.—In pursuance of sub-clause (iii) of clause (c) of sub-section (1) of section 6 of the Export-Import Bank of India Act, 1981 (28 of 1981), the Central Government hereby nominates the following persons as Directors on the Board of Directors of Export-Import Bank of India for a period of two years commencing on April 1, 1987 and ending with March 31, 1989:—

1. Shri D. V. Kapur,
Chairman, National Productivity Council,
12, Tuglak Lane,
New Delhi-110011.
2. Shri S. K. Amin,
Yemmekere,
Mangalore-575001.

[No. F. 7/7/85-BO-I]

S. S. HASURKAR, Director

नई दिल्ली, 25 मार्च, 1987

का. भा. 942.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा-11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री एम.एस. पै, को पिनाकिनी ग्रामीण बैंक, नेल्लोर (आन्ध्र प्रदेश) का अध्यक्ष नियुक्त करती है तथा 18-2-87 से प्रारम्भ होकर 28-2-90 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री एम.एस. पै अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एक-2-35/86-आर.आर.बी.]

New Delhi, the 25th March, 1987

S.O. 942.—In exercise of the powers conferred by sub-section (1) of Section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri M. S. Pai as the Chairman of the Pinakini Gramena Bank, Nellore (A.P.) and specifies the period commencing on the 18-2-87 and ending with the 28-2-90 as the period for which the said Shri M. S. Pai shall hold office as Chairman.

[No. F. 2-35/86-RRB]

का. भा. 943.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री देवेन्द्र सिंह साहनी को गुरदासपुर ग्रामोत्तर क्षेत्रीय ग्रामीण विकास बैंक, गुरदासपुर का अध्यक्ष नियुक्त करती है तथा 8-1-1987 से प्रारम्भ होकर 31-1-1990 को समाप्त होने वाली अवधि के उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री साहनी अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एक 2-41/86-आर.आर.बी.]

S.O. 943.—In exercise of the powers conferred by sub-section (1) of Section 11 of the Regional Rural Banks Act, 1976, (21 of 1976), the Central Government hereby appoints Shri Devinder Singh Sawhney as the Chairman of the Gurdaspur Amritsar Ksh. Gramin Vikas Bank, Gurdaspur and specifies the period commencing on the 8-1-87 and ending with 31-1-90 as the period for which the said Shri Sawhney shall hold office as Chairman.

[No. F. 2-41/86-RRB]

का. भा. 944.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा-11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री के.एन. मेहरोत्रा को विपुल ग्रामीण बैंक, बिजनौर (उ.प्र.) का अध्यक्ष नियुक्त करती है तथा 21-2-87 से प्रारम्भ होकर 28-2-90 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री के.एन. मेहरोत्रा अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एक. 2-38/86-आर.आर.बी.]

S.O. 944.—In exercise of the powers conferred by sub-section (1) of Section 11 of the Regional Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri K. N. Mehrotra as the Chairman of the Vidur Gramin Bank, Bijnor U.P. and specifies the period commencing on the 21-2-87 and ending with the 28-2-90 as the period for which the said Shri K. N. Mehrotra shall hold office as Chairman

[No. F. 2-38/86-RRB]

का. प्रा. 945.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1979 का 21) की धारा-11 की उपधारा-2 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार श्री एम.एन. चोपड़ा, को जिनकी धारा-11 की उपधारा(i) के तहत विदुर ग्रामीण बैंक, बिजनौर (उत्तर प्रदेश) के अध्यक्ष के रूप में नियुक्ति की तीन वर्ष की महीने की पहली अवधि 30-9-86 को समाप्त हो गयी है, 1-10-86 से प्रारम्भ होकर 20-2-87 को समाप्त होने वाली अवधि के लिए, उक्त बैंक का पुनः अध्यक्ष नियुक्त करती है।

[संख्या एक. 2-39/86-प्रार.प्रार.की.]

प्रवीण कुमार तेजयान, अवर सचिव

S.O. 945.—In exercise of the powers conferred by sub-section (2) of Section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby re-appoints Shri M. L. Chopra whose earlier tenure of three years nine months appointment under sub-section (1) of section 11 had expired on 30-9-1986 as the Chairman of Vidur Gramin Bank, Bijnor (Uttar Pradesh) for a further period commencing from 1-10-1986 and ending with 20-2-1987.

[No. F. 2-39/86-RRB]

P. K. TEJYAN, Under Secy.

नई दिल्ली, 26 मार्च, 1987

का. प्रा. 946.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर यह घोषणा करती है कि उक्त अधिनियम की धारा 11 की उपधारा 1 के प्रावधान जिला सहकारी केन्द्रीय बैंक लिमिटेड, अम्बिकापुर (मध्य प्रदेश) पर इस अधिसूचना के सरकारी राजपत्र में प्रकाशित होने की तारीख से 30 जून, 1989 तक की अवधि के लिए लागू नहीं होंगे।

[एफ. सं. 8-1/87 ए सी]

New Delhi, the 26th March, 1987.

S.O. 946.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendations of the Reserve Bank of India declares that the provisions of sub-section 1 of Section 11 of the said Act shall not apply to Jilla Sahakari Kendriya Bank Ltd., Ambikapur (Madhya Pradesh) from the date of publication of this notification in the official Gazette to 30th June, 1989.

[F. No. 8-1/87-AC]

का. प्रा. 947.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर यह घोषणा करती है कि उक्त अधिनियम की धारा 11 की उपधारा 1 के प्रावधान डाल्टोन्गज सेंट्रल को-ऑपरेटिव बैंक लि., पलामू, बिहार पर इस अधिसूचना के सरकारी राजपत्र में प्रकाशित होने की तारीख से 31 मार्च, 1988 तक की अवधि के लिए लागू नहीं होंगे।

[सं. एक. 8-1/87-ए सी]

S.O. 947.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendations of the Reserve Bank of India declares that the

provisions of sub-section 1 of Section 11 of the said Act shall not apply to the Daltonganj Central Co-operative Bank Ltd., Palamau, Bihar from the date of publication of this notification in the official Gazette to 31st March, 1988.

[F. No. 8-1/87-AC]

का. प्रा. 948.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर यह घोषणा करती है कि उक्त अधिनियम की धारा 11 की उपधारा 1 के प्रावधान मुजफ्फरपुर सेंट्रल को-ऑपरेटिव बैंक लिमिटेड मुजफ्फरपुर बिहार पर इस अधिसूचना के सरकारी राजपत्र में प्रकाशित होने की तारीख से 31 मार्च, 1988 तक की अवधि के लिए लागू नहीं होंगे।

[एफ. सं. 8-1/87-ए. सी.]

S.O. 948.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendations of the Reserve Bank of India declares that the provisions of sub-section 1 of Section 11 of the said Act shall not apply to the Muzaffarpur Central Co-operative Bank Ltd., Muzaffarpur, Bihar from the date of publication of this notification in the official Gazette to 31st March, 1988.

[F. No. 8-1/87-AC]

का. प्रा. 949.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर, यह घोषणा करती है कि उक्त अधिनियम की धारा 11 की उपधारा 1 के प्रावधान मोतीहारी सेंट्रल को-ऑपरेटिव बैंक लि., मोतीहारी बिहार पर इस अधिसूचना के सरकारी राजपत्र में प्रकाशित होने की तारीख से 31 मार्च, 1988 तक की अवधि के लिए लागू नहीं होंगे।

[सं. एक. 8-1/87-ए. सी.]

S.O. 949.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendations of the Reserve Bank of India declares that the provisions of sub-section 1 of Section 11 of the said Act shall not apply to the Motihari Central Co-operative Bank Limited, Motihari, Bihar from the date of publication of this notification in the official Gazette to 31st March, 1988.

[F. No. 8-1/87-AC]

का. प्रा. 950.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर यह घोषणा करती है कि उक्त अधिनियम की धारा 11 की उपधारा 1 के प्रावधान डिस्ट्रिक्ट को-ऑपरेटिव बैंक लि. बाराबंकी, उत्तर प्रदेश पर इस अधिसूचना के सरकारी राजपत्र में प्रकाशित होने की तारीख से 30 जून, 1989 तक की अवधि के लिए लागू नहीं होंगे।

[एफ. सं. 8-1/87-ए. सी.]

के. पी. पान्डियन, अवर सचिव

S.O. 950.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendations of the Reserve Bank of India declares that the provisions of sub-section 1 of Section 11 of the said Act shall not apply to the District Co-operative Bank Ltd., Barabanki, U.P. from the date of publication of this notification in the official Gazette to 30th June, 1989.

[F. No. 8-1/87-AC]

K. P. PANDIAN, Under Secy.

नई दिल्ली, 27 मार्च, 1987

का. पा. 951—यहां बैंककारी विनियम, 1949 का धारा 45 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा उसके अनुसार केन्द्रीय सरकार ने नेशनल बैंक आफ लाहौर लि., दिल्ली के भारतीय स्टेट बैंक के साथ विलय के लिए 20 फरवरी, 1970 को एक योजना संभर की थी।

यतः उक्त योजना के खण्ड 6 के उपखण्ड (IX) के अधीन भारतीय स्टेट बैंक द्वारा नेशनल बैंक आफ लाहौर लि., दिल्ली की परिसम्पत्तियों का अंतिम रूप से मूल्यांकन नियत तारीख से बारह वर्षों की समाप्ति के पश्चात् अपेक्षित था जो कि नियत तारीख को अन्तिम रूप से मूल्यांकन कर लिया गया है।

यतः भारतीय स्टेट बैंक ने यह अस्पष्टता दूर किया है कि बड़ी संख्या में परिसम्पत्तियां अंतर्भूत होने और बैंक के प्रयागों के बावजूद अधिकांश मदों की वसूलियां अभी बाकी होने के कारण बैंक, विलय योजना के खण्ड 6 के उपखण्ड (IX) में विनिर्दिष्ट समय के भीतर परिसम्पत्तियों का अंतिम रूप से मूल्यांकन करने में असमर्थ रहा है।

और यतः केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श करने के बाद इस बात से संतुष्ट है कि विलय योजना को लागू करने में कठिनाई पैदा हो गई है और उतना समय बढ़ा कर जितने में परिसम्पत्तियों का अंतिम रूप से मूल्यांकन अपेक्षित है, उक्त कठिनाई को दूर करना जरूरी है।

अतः अब, नेशनल बैंक आफ लाहौर लि., दिल्ली के भारतीय स्टेट बैंक के साथ विलय की 20 फरवरी, 1970 की विलय योजना के खण्ड 21 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार पक्ष द्वारा निर्देश देती है कि भारतीय स्टेट बैंक, भारतीय रिजर्व बैंक के परामर्श से तथा उसके अनुमोदन से नेशनल बैंक आफ लाहौर लि., दिल्ली की उन परिसम्पत्तियों का, जिनकी बचतों और मूल्यांकन नहीं हुआ है, नियत तारीख से अठारह वर्षों की अवधि के भीतर मूल्यांकन होगा।

[संख्या 17/6/82-बी. ओ.-III]

प्रान नथ, अवर सचिव

New Delhi, the 27th March, 1987

S.O. 951.—Whereas on 20th February, 1970 a scheme of amalgamation of the National Bank of Lahore Ltd., Delhi with the State Bank of India was sanctioned by the Central Government in exercise of the powers conferred by and in accordance with section 45 of the Banking Regulation Act, 1949.

Whereas under sub-clause (ix) of clause 6 of the said scheme, the State Bank of India was required to make a final valuation of the assets of the National Bank of Lahore Ltd., Delhi, which have been provisionally valued on the prescribed date, on the expiry of twelve years from the prescribed date.

Whereas the State Bank of India has represented that in view of the large number of assets involved and the recovery of most of the items yet to be realised in spite of its efforts, it has not been able to make the final valuation within the time specified in sub-clause (IX) of clause 6 of the scheme of amalgamation,

And whereas the Central Government in consultation with the Reserve Bank of India is satisfied that a difficulty has arisen in giving effect to the scheme of amalgamation which it is necessary to remove by extending the time within which the final valuation of assets is required to be made,

Now, therefore, in exercise of the powers conferred by clause 21 of the scheme of amalgamation dated 20-2-1970 of the National Bank of Lahore Ltd., Delhi with the State Bank of India, the Central Government hereby directs that the State Bank of India shall in consultation with and with

the approval of the Reserve Bank of India value the assets of the National Bank of Lahore Ltd., Delhi which have not been realised and valued, within a period of eighteen years from the prescribed date.

[No. 17/6/82-B.O.III]

PRAN NATH, Under Secy.

वाणिज्य मंत्रालय

नई दिल्ली 30 मार्च, 1987

आदेश

का. पा. 952—भारत के निर्यात व्यापार के विकास के लिए प्रशोधित सीपी मांस को निर्यात से पूर्व क्वालिटी नियंत्रण और निरीक्षण के अधीन लाने के लिए कृषि विभाग, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम II के उपनियम (2) की अपेक्षातुसार भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii) तारीख 4 अक्टूबर, 1986 में भारत सरकार के वाणिज्य मंत्रालय के आदेश सं. का. आ. 3480 तारीख 4 अक्टूबर, 1986, के अधीन प्रकाशित किए गए थे जिसमें उन सभी व्यक्तियों से इस आदेश के राजपत्र में प्रकाशन की तारीख से 45 दिन के भीतर आशेष और मुआव मीने गए थे;

उक्त राजपत्र की प्रतियां जनता को 7 अक्टूबर, 1986 को उपलब्ध करा दी गई थी;

और केन्द्रीय सरकार ने प्रस्तावों के उक्त प्राप्ति पर जनता से प्राप्त आशेषों और मुआवों पर विचार कर लिया है;

अतः अब केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निर्यात निरीक्षण परिषद् से परामर्श करने के पश्चात् अपनी यह राय होने पर कि भारत के निर्यात व्यापार के विकास के लिए ऐसा करना आवश्यक तथा समीचीन है:—

- (1) अधिसूचित करती है कि प्रशोधित सीपी मांस, निर्यात से पूर्व क्वालिटी नियंत्रण और निरीक्षण के अधीन होगा;
- (2) इस आदेश के उपलब्ध में दिए गए निर्योक्तों को प्रशोधित सीपी मांस के लिए मानक शिनिर्देशों के रूप में मान्यता देती है;
- (3) प्रशोधित सीपी मांस का निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1967 में दिए गए निरीक्षण के प्रकार को निरीक्षण के ऐसे प्रकार के रूप में विनिर्दिष्ट करती है जो निर्यात से पूर्व ऐसे प्रशोधित सीपी मांस को लागू होगा;
- (4) अन्तर्राष्ट्रीय व्यापार के अनुक्रम में, प्रशोधित सीपी मांस के निर्यात को अब तक प्रतिषिद्ध करती है जब तक कि उनके साथ उक्त अधिनियम की धारा 7 के प्रतीक मुखर्री, कलकत्ता, कांचीन, दिल्ली और गदगा में स्थापित निर्यात निरीक्षण अधिकारियों द्वारा जारी किया गया इस आदेश का प्रमाण-पत्र न हो कि उक्त प्रशोधित सीपी मांस क्वालिटी नियंत्रण और निरीक्षण से संबंधित शर्तों को पूरा करता है और वह निर्यात योग्य है।

2. इस आदेश की कोई भी बात वाणिज्य केतव्यों को भूमि, वायु या समुद्र-मार्ग द्वारा उस प्रशोधित सीपी मांस को जो कि मानव उपभोग लिए नहीं है, और निर्यात किए गए प्रशोधित सीपी मांस के तम्बों को लागू नहीं होंगी जिसका मूल्य 500/- रु. से अधिक नहीं है।

3. पश्चात्-उक्त आदेश में प्रकीर्तित सीपी मांस से अभिवादन विनोदित आशियों या पैकेटिंग आशियों या शीतलों की अन्य वाणिज्य आशियों से कच्चा या गर्म करने के उपरान्त प्राप्त किया गया मांस अभिवादन है और जो कच्चा या गर्म करने के पश्चात् प्रशोधित हो।

उपाख्य

प्रशोधित सीपी मांस के लिए चिन्हित

प्रशोधित सीपी मांस, खाद्य जाति की ताजी जीवित सीपियों से प्राप्त की जायेगी प्रशोधित होने वाले कच्चे या पके हुए मांस से तैयार किया जाएगा। मांस नीचे दी गई सामग्री में अनुसंधित लाक्षणिक अपेक्षाओं के अनुरूप होगा :

सारणी

क्रम सं.	लक्षण	अपेक्षाएं
1.	रूप, रंग, गंध	संतोषजनक और ताजी या पके हुए सीपी मांस के लिए लाक्षणिक।
2.	आकार और आकृति	केता और विकेता के मध्य करार पाए अनुसार।
3.	निर्जलीकरण	निर्जलीकरण से प्रक्षित रूप से मुक्त
4.	विचर्जन	विचर्जन से उचित रूप से मुक्त।
5.	क्षय	क्षय उचित रूप से मुक्त।
6.	सीपी के टुकड़ों की उपस्थिति	कबच के टुकड़ों से उचित रूप से मुक्त
7.	रेत की उपस्थिति	रेत से मुक्त होगा (चबाते पर शिल-कणमयता नहीं होगी)।
8.	बाह्य पदार्थ की उपस्थिति	आक्षेपणीय बाह्य पदार्थ से मुक्त होगा।
9.	टूटे हुए टुकड़े	टूटे हुए टुकड़े गणना में 10 प्रतिशत से अधिक नहीं होंगे।
10.	असमानता	सीपी मांस आकार में एक समान होगा। आमतौर निम्नतर और उच्चतर आकार श्रेणी का मांस भार में 10 प्रतिशत से अधिक नहीं होगा।
11.	गठन	नरम और दृढ़
12.	ज. खाण व. य	कारक
(क)	कच्ची प्रशोधित किस्म के लिए	
(1)	3° से पर कुल प्लेट काउंट	10 लाख अधिकतम/ग्राम
(2)	ई. कोर्स	20 अधिकतम/ग्राम
(3)	कोगुलेज सकारात्मक गुणधर्म	100 अधिकतम/ग्राम
(4)	सालमोनेल्ला	शून्य
(ख)	पके प्रशोधित किस्म के लिए	
(1)	30 से पर कुल प्लेट काउंट	2 लाख अधिकतम/ग्राम
(2)	ई. कोर्स	शून्य
(3)	कोगुलेज सकारात्मक गुणधर्म	100 अधिकतम/ग्राम
(4)	स्टैफाइलोकोकस सालमोनेल्ला	शून्य

टिप्पण :—कबच को खोलने के लिए सीपियों पर गर्म पानी को छोड़ कर चूने गए और प्रशोधित मांस को पकी हुई किस्म तैयार माना जाएगा। संकेतन।

यदि सामग्री के ब्लाकों में प्रशोधित किया जाए तो सीपी मांस के प्रत्येक प्रशोधित ब्लाक पर एक संकेत पेशी लगे होगी, और यदि गामग्री को अलग से जोड़ प्रशोधित आईस किया गया है तो प्राइमरी आवरण में रखा जाएगा। संकेत पेशी पर संकेत के प्रत्येक कर्ता का संकेत नाम, उत्पाद का नाम और प्रकार, प्रसंस्करण का वर्ष, मास और तारीख होगी। संकेत पेशी को संशोधित करने में चिन्हित करने का उदाहरण नीचे दिया गया है।

एक्स आई

आर एफ सी एम/सी एफ सी एम

6213.

उपर्युक्त उदाहरण में एक्स आई-पंकेट में प्रसंस्करणकर्ता का नाम क प्र सी मा/प प्रे सी मा-कच्चा प्रशोधित सीपी मांस।
/पका हुआ प्रशोधित सीपी मांस

(प्रसंस्करण का वर्ष (यहां 1986 है))

ट-प्रसंस्करण का मास (यहां अक्टूबर)

13-प्रसंस्करण की तारीख (यहां मास का 13वा दिन)

निम्नलिखित संशोधक, वर्ष के मासों के लिए प्रयोग किए जाएंगे।

मांस	संशोधक
जनवरी	क
फरवरी	ख
मार्च	ग
अप्रैल	घ
मई	ङ
जून	च
जुलाई	छ
अगस्त	ज
सितम्बर	झ
अक्टूबर	ट
नवम्बर	ड
दिसम्बर	ड

[काइल सं. 6(4)/85-नि.मि./नि.मं.]

MINISTRY OF COMMERCE

New Delhi, the 30th March, 1987

ORDER

S.O. 952.—Whereas for the development of the export trade of India, certain proposals for subjecting frozen clam meat to quality control and inspection prior to export were published as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964, in the Gazette of India, Part II, Section 3, Sub-section (ii) dated the 4th October, 1986 under the order of the Government of India, Ministry of Commerce, No. S.O. 3480 dated the 4th October, 1986, inviting objections and suggestions from all persons likely to be affected thereby within 45 days from the date of publication of the said order in the Official Gazette;

And whereas copies of the said gazette were made available to the public on 7th October, 1986;

And whereas objections and suggestions received from the public on the said draft proposals have been considered by the Central Government.

Now, therefore, in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government after consulting the Export Inspection Council, being of the opinion that it is necessary and expedient so to do for the development of export trade of India hereby :—

- (1) notifies that frozen clam meat shall be subject to quality control and inspection prior to export;
- (2) recognises the specifications as set out in Annexure to this order as the standard specifications for such frozen clam meat.
- (3) specifies that the type of inspection, set out in the Export of Frozen Clam meat (Quality Control and Inspection) Rules, 1987, shall be the type of inspection which shall be applied to such frozen clam meat prior to their export;

(4) prohibits the export in the course of international trade of frozen clam meat unless the same is accompanied by a certificate issued by any of the Export Inspection Agencies established at Bombay, Calcutta, Cochin, Delhi and Madras under section 7 of the said act to the effect that the said frozen clam meat satisfies the conditions relating to quality control and inspection and is export worthy.

2. Nothing in this order shall apply to the export by sea, land or air of frozen clam meat, not meant for human consumption and also samples of frozen clam meat to prospective buyers, the value of which does not exceed Rs. 500/-.

3. Definition :—In this order, frozen clam meat means the meat picked either raw or after heating from *Villorita* species or *Meretrix* specific or any other edible species of clams and frozen either raw or after cooking.

ANNEXURE

Specification for frozen clam meat

Frozen clam meat shall be prepared by quick freezing raw or cooked meat obtained from fresh live clams of edible species. The meat shall conform to the characteristic requirements stipulated at table given below :

TABLE

Sl. No.	Characteristic	Requirements
1.	Appearance, colour, odour	Satisfactory and characteristic of fresh or cooked clam meat.
2.	Size grade	As agreed to between the buyer and seller.
3.	Dehydration	Reasonably free from dehydration.
4.	Discolouration	Reasonably free from discolouration
5.	Deterioration	Shall be free from deterioration
6.	Presence of Shell pieces	Shall be reasonably free from pieces of shell
7.	Presence of sand	Shall be free from sand (Shall not show grittiness on Chewing)
8.	Presence of foreign matter	Shall be free from objectionable foreign matter.
9.	Broken pieces	Broken pieces shall not exceed 10% by count.
10.	Non-uniformity	The Clam Meat shall be uniform in size. Meat of the next lower and higher size grade shall not exceed 10% by weight.
11.	Texture	Soft and firm.
12.	Bacteriological factors :	
(a)	For raw frozen variety	
(i)	Total plate count at 37°C	10 Lakhs maximum/gm
(ii)	E. Coli	20 maximum/gm
(iii)	Coagulase positive <i>Staphylococcus</i>	100 maximum/gm
(iv)	<i>Salmonella</i>	Negative

(b) For cooked frozen variety

- | | |
|--|------------------|
| (i) Total plate count at 37°C | 2 Lakhs max./gm. |
| (ii) E. Coli | Nil |
| (iii) Coagulase positive <i>Staphylococcus</i> | 100 maximum/gm. |
| (iv) <i>Salmonella</i> | Negative |

Note : The clams treated with hot water for opening the shell and the meat then picked and frozen shall not be treated as cooked variety.

Coding :—A code slip shall be embedded on each frozen block of clam meat when the material is frozen in blocks and shall be placed in the primary container when the material is individually quick frozen (IQF). The Code slip shall bear the marking of the name of the processor in abbreviation code name and type of the product, year, month and date processing. An illustration for marking the code slips in abbreviated form is given below :

XY RFCM/CFCM

6K13

Wherein, the above illustration XY—Name of the processor in abbreviation Code. RFCM/CFCM—Raw Frozen Clam Meat/Cooked Frozen Clam Meat.

6—Year of processing (Here 1986)

K—Month of processing (Here October)

13—Date of processing (Here 13th day of the month)

The following abbreviations shall be used for the month of the year :

Month	Abbreviation
January	A
February	B
March	C
April	D
May	E
June	F
July	G
August	H
September	J
October	K
November	L
December	M

[F.No.6(4)/85 EI&EP.]

नई दिल्ली, 30 मार्च, 1987

का. घा. 953:—केन्द्रीय सरकार, निर्यात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 17 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निम्नलिखित नियम बनाती है, धर्मातः—

1. संक्षिप्त नाम और प्रारम्भ :—(1) इन नियमों का संक्षिप्त नाम प्रकीर्तित सीपी मांस का निर्यात (क्वालिटी नियंत्रण और निरीक्षण) नियम, 1987 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. परिभाषा :—इन नियमों में, जब तक कि संदर्भ से अन्यथा व्यक्तित न हों;

(क) "अधिनियम" से नियात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 अभिप्रेत है;

(ख) "परिषद्" से नियात (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 की धारा 3 के अर्थ में स्थापित नियात निरीक्षण परिषद् अभिप्रेत है;

(ग) "अभिकरण" से अधिनियम की धारा 7 के अधीन स्थापित नियात निरीक्षण अभिकरणों में से कोई एक अभिप्रेत है;

(घ) "प्रशोधित सीपी मांस" से बिलॉटिटा या मैरीट्रिक्स जातियों की सीपियों की भ्रूय खाद्य जातियों से कच्चा या गर्म करने के उपरान्त प्राप्त किया गया मांस अभिप्रेत है जो कच्चा या पकाने के पश्चात् प्रशोधित हो।

3. निरीक्षण का आधार :—नियात के लिए आशयित प्रशोधित सीपी मांस का निरीक्षण इस दृष्टि से किया जाएगा कि वे अधिनियम की धारा 6 के अधीन केन्द्रीय सरकार द्वारा मास्यता प्राप्त विनिर्देशों के अनुरूप हैं या नहीं।

4. निरीक्षण की प्रक्रिया :—प्रशोधित सीपी मांस को नियात करने का इच्छुक निर्यातकर्ता, नियात किए जाने के लिए आशयित परेषणों का उप नियम 3 के अनुसार परिषद् द्वारा जारी किए गए अनुदेशों के अनुरूप प्रोत्सर्ग में एक आवेदन, अभिकरण के निकटतम कार्यालय को देगा जिसमें कि अभिकरण ऐसे परेषणों का परीक्षण यह देखने के लिए कर सके कि परेषण नियम 3 में विनिर्दिष्ट न्यूनतम विनिर्देशों की अपेक्षाओं के अनुरूप हैं या नहीं।

(2) उपनियम (1) के अधीन प्रत्येक आवेदन निर्यातकर्ता के परिसर से लवाने के लिए परेषण के भेजे जाने की प्रत्याशित तारीख से कम से कम सात दिन पहले किया जाएगा।

(3) उप नियम (1) के निरिष्ट आवेदन प्राप्त होने पर अभिकरण, परिषद् द्वारा इस निमित्त जारी किए गए अनुदेशों के अनुसार परेषण का निरीक्षण इस दृष्टि से करेगा कि परेषण नियम 3 में निरिष्ट मास्यताप्राप्त विनिर्देशों की अपेक्षाओं को पूरा करता है। निर्यातकर्ता अभिकरण को ऐसा निरीक्षण करने के लिए सभी आवश्यक सुविधाएं देगा।

(4) यदि समुद्र पार के जहाजों द्वारा कोई अतिरिक्त अतिरिक्त अपेक्षा अनुबंधित की गई है तो निर्यातकर्ता, ऐसे विवरण की सूचना लिखित रूप में अभिकरण को देगा जो मास्यताप्राप्त विनिर्देशों के अतिरिक्त इन अपेक्षाओं को भी विधायन करेगी।

(5) यदि ऐसे निरीक्षण पर, अभिकरण का समाधान हो जाता है कि परेषण मास्यताप्राप्त विनिर्देशों और अतिरिक्त अपेक्षाओं, जहाँ कहीं वे लागू हों, के अनुरूप हैं और उनका नियमों के अनुसार पैक और चिह्नित किया गया है तो वह यह घोषित करने हुए प्रमाणपत्र जारी करेगा कि परेषण नियात योग्य है।

परन्तु जहाँ अभिकरण का परेषण के प्रति ऐसा समाधान नहीं होता है, तो वहाँ वह सात दिन की अवधि के भीतर ऐसा प्रमाणपत्र जारी करने से इंकार कर देगा और ऐसे इंकार की सूचना लिखित रूप में उसके कारणों सहित निर्यातकर्ता को देगा।

5. नियात के लिए पैकिंग और चिह्नित :—देश और विदेश के मध्य कारगर पाए गए अनुसार प्रयुक्त मोटे मोटे का पैकिंग और पैक किया जाएगा। पैकिंग के लिए प्रयुक्त माधान मजबूत और प्रयोज्य योग्य होंगे।

(ii) प्रत्येक पैकेज पर निम्नलिखित विनिर्देशों का लेबल लगा होगा या प्रिंट मशीन से चिह्नित होगा :—

(क) सामग्री का नाम तथा किस्म,

(ख) पैक का प्रकार, अन्तर्वस्तु का कुल भार और पैकेज का महत भार

(ग) पोन पश्चिम दिक्, और

(घ) गन्तव्य पत्ता।

6. निरीक्षण का स्थान :—(1) इन नियमों के प्रयोजन के लिए निरीक्षण या तो संस्करणकर्ता/निर्यातकर्ता के परिसर में या अभिकरण की प्रयोगशाला में या लदान-पत्ता में किया जाएगा।

(2) उपनियम (1) में निर्दिष्ट परिसरों पर निरीक्षण के अतिरिक्त, अभिकरण निरीक्षित परेषणों का ऐसा पर्यवेक्षण अंतरण के किसी भी स्थान पर और अभिबद्ध में या घाटों पर, जहाँ कहीं आवश्यक समझे, इन नियमों के प्रयोजन के लिए कर सकता है।

7. निरीक्षण फीस :—प्रति परेषण न्यूनतम 30 रु. के अधीन रहने हुए प्रति किलो या उसके भाग के लिए 10 पैसे की दर से फीस अभिकरण को इन नियमों के अधीन निरीक्षण के लिए निरीक्षण फीस के मा. में दी जाएगी।

8. अपील :—(1) नियम 4 के उपनियम (5) के अधीन प्रमाणपत्र देने से इंकार करने से व्यक्ति कोई भी निर्यातकर्ता उसके द्वारा ऐसे इंकार की सूचना प्राप्त होने के तीन दिन के भीतर केन्द्रीय सरकार द्वारा इस प्रयोजन के लिए गठित विमोचकों के पन्तल की अपील कर सकेगा।

(2) पैनल की गणपूर्ति तीन सदस्यों से होगी।

(3) ऐसी अपील में पैनल का विनिर्णय अंतिम होगा।

[फॉर्म सं. 6(4)/85-ई.आई. एंड ई.पी.]

एन.एस. हरिहरन, निदेशक

New Delhi, the 30th March, 1987

S.O. 953.—In exercise of the powers conferred by section 17 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) the Central Government hereby makes the following rules, namely :—

1. Short title and commencement :—(1) These rules shall be called the Export of frozen clam meat (Quality Control and Inspection) Rules, 1987.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definition :—In these rules, unless the context otherwise requires;

(a) 'Act' means the Export (Quality Control and Inspection) Act, 1963;

(b) 'Council' means the Export Inspection Council, established under Section 3 of the Export Quality Control and Inspection) Act, 1963;

(c) 'Agency' means any one of the Export Inspection Agencies established under Section 7 of the Act;

(d) 'Frozen Clam meat' means the meat picked either raw or after heating from villorita species or Meretrix species or any other edible species of clams and frozen either raw or after cooking.

3. Basis of Inspection.—Inspection of frozen clam meat meant for export shall be carried out with a view to seeing that the frozen clam meat conforms to the specification recognised by the Central Government under section 6 of the Act.

4. Procedure of Inspection :—(1) An exporter intending to export frozen clam meat shall submit an application in the proforma under the instruction issued by Council as per sub-rule 3, to the nearest office of the agency, giving particulars of the consignments intended to be exported, so as to enable the agency to examine such consignments to see whether the same conform to the required minimum specifications referred to in rule 3.

(2) Every application under sub-rule (1) shall be made not less than 7 days prior to the anticipated date of despatch of the consignment from the exporter's premises for shipment;

(3) On receipt of the application referred to in sub-rule (1) the agency shall inspect the consignment as per instructions issued by the Council in this behalf with a view to seeing that the consignment complies with requirement of the recognised specifications referred to in rule 3. The exporter shall provide all necessary facilities to the Agency to enable it to carry out such inspection.

(4) In case any additional requirement is stipulated by the overseas buyer, the exporter shall inform such details in writing to the agency who shall also assess these requirements besides the recognised specifications.

(5) If on such inspection, the agency is satisfied that the consignment conforms to the recognised specifications and to the additional requirements wherever applicable and that the same has been packed and marked according to the rules, it shall issue a certificate declaring the consignment as export worthy :

Provided that where the Agency is not so satisfied with the consignment, it shall, within a period of 7 days, refuse to issue such certificate and communicate such refusal in writing to the exporter along with the reasons for such refusal.

5. Packing and marking for export :—(i) The frozen clam meat shall be graded and packed as agreed to between the buyer and seller. The container used for packing shall be sound and seaworthy.

(ii) Each package shall be labelled or marked with indelible ink giving the following particulars namely :—

- (a) name and variety of the material;
- (b) type of pack, net weight of the contents and gross weight of the package;
- (c) shipping mark and;
- (d) port of destination.

6. Place of inspection :—(1) Inspection for the purpose of these rules shall be carried out at the premises of the processor/exporter and in the Agency laboratory or at the port of shipment.

(2) In addition to the inspection at the premises referred to in sub-rule (1), the Agency may exercise such supervision on inspected consignments at any place of storage and in transit or at the wharves, as it may consider necessary for the purpose of these rules.

7. Inspection fee :—A fee at the rate of 10 ps. per kg. or part thereof subject to a minimum of Rs. 30/- per consignment shall be paid to the Agency as inspection fee for conducting inspection under these rules.

8. Appeal.—(1) Any exporter aggrieved by the refusal of the Agency to issue certificate under sub-rule (5) of rule 4, may within 3 days of receipt of such refusal by him, prefer an appeal to the panel of experts constituted for the purpose by the Central Government.

(2) The quorum of the Panel shall be there.

(3) The decision of the panel in such appeal shall be final.

[F. No. 6(4)/85-EI&EP]
N. S. HARIHARAN, Director

ऊर्जा मंत्रालय

(कोयला विभाग)

नई दिल्ली, 25 मार्च, 1987

का. प्रा. 954.—केन्द्रीय सरकार ने, कोयला धारक क्षेत्र, (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 4 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय (कोयला विभाग) की अधिसूचना सं. का. प्रा. 5070, तारीख 14 अक्टूबर, 1985 द्वारा उस अधिसूचना में उपाखण्ड अनुसूची में विनिर्दिष्ट परिच्छेद में 3720.87 एकड़ (लगभग) या 1518.31 हेक्टर (लगभग) माप की भूमि में कोयले का पूर्वांक्षण करने के अपने आशय की सूचना दी थी ;

और केन्द्रीय सरकार का यह समाधान हो गया है कि उक्त भूमि के 3720.87 एकड़ (लगभग) या 1518.31 हेक्टर (लगभग) क्षेत्र कोयला अभिप्राप्त है ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, इससे उपाखण्ड अनुसूची में वर्णित के अनुसार, 3720.87 एकड़ (लगभग) या 1518.31 हेक्टर (लगभग) माप की भूमि और उसमें सभी अधिकारों का अर्जन करने के अपने आशय की सूचना देती है ;

टिप्पण . 1. इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं. बी सी सी एम/ई ई/45-82 तारीख 20 जुलाई, 1982 का निरीक्षण, उपायुक्त धनबाद (बिहार) या कोयला निर्यातक, 1-काउंसिल हाउस स्ट्रूट बलकत्ता के कार्यालय में या निदेशक, (परियोजना) भारत कोकिंग कोल लिमिटेड, कोयला भवन, डाकखाना कोयला नगर, जिला धनबाद (बिहार) के कार्यालय में किया जा सकेगा ।

टिप्पण-2 : कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) की धारा 8 के उपबन्धों की ओर ध्यान आकृष्ट किया जाता है, जिसमें निम्नलिखित उपबन्ध हैं :

(1) किसी ऐसा भूमि में, जिसकी श्रावण धारा 7 के अधीन अधिसूचना जारी की गई है, हितबद्ध कोई व्यक्ति अधिसूचना जारी किए जाने के तत्पश्चात् के भीतर सम्पूर्ण भूमि या उसके किसी भाग या ऐसी भूमि में या उस पर के किन्हीं अधिकारों का अर्जन किए जाने के बारे में आशेष कर सकेगा ।

स्पष्टीकरण—इस धारा के अन्तर्गत किसी व्यक्ति को ओर से यह कहना आशेष नहीं माना जाएगा कि वह किसी भूमि में कोयला उत्पादन के लिए स्वयं संक्रियाएं करना चाहता है और यह कि ऐसी संक्रियाएं केन्द्रीय सरकार या किसी अन्य व्यक्ति को नहीं करना चाहिए ।

(2) उपधारा (1) के अधीन प्रत्येक आशेष सक्षम प्राधिकारों को लिखित रूप में किए जाएंगे और सक्षम प्राधिकारों आशेषकर्ता को व्यक्तिगत रूप से या विधि व्यवसायी द्वारा मुतवाई का प्रबन्ध देगा और ऐसे सभी आशेषों को सुनने के पश्चात् और ऐसी प्रतिस्पर्धा जांच, यदि कोई है, वह आवश्यक समझता है करने के पश्चात् वह या तो धारा 7 की उपधारा (1) के अधीन अधिसूचित भूमि के या उस पर के अधिकारों के संबंध में एक रिपोर्ट या ऐसी भूमि के विभिन्न टुकड़ों या ऐसी भूमि में या उस पर के अधिकारों के संबंध में आशेषों पर अपनी सिफारिशों और उसके द्वारा की गई कार्यवाही के अभिलेख सहित विभिन्न रिपोर्ट केन्द्रीय सरकार को उसके विनिश्चय के लिए देगा ।

(3) इस धारा के प्रयोजनों के लिए यह प्वाबित किया भूमि में हितबद्ध समझा जाएगा जो प्रतिकर में हित का दावा करते या हकदार

होता यदि भूमि या ऐसी भूमि में या उस पर अधिकार हम अधिनियम के अधीन अर्जित कर लिए जाने।"

टिप्पण 3. कन्द्रीय सरकार ने, कोयला नियंत्रक 1, फाउन्डिग हाउस स्ट्रीट, कलकत्ता को उक्त अधिनियम के अधीन मक्षम प्राधिकारी नियुक्त किया है।

महाल ब्लॉक
सरिया कोयला क्षेत्र
अनुसूची

खनन अधिकार

क्रम सं. मीजा (ग्राम) थाना सं.	पुलिस केन्द्र जिला क्षेत्र (एकड़ में)	थाना	घनबाय	
1. पर्वतपुर	204	"	"	41.00
2. फरसेहपुर	212	"	"	53.00
3. ग्रामलाबाव	213	"	"	111.20
4. काराडी	214	"	"	118.10
5. केडुलिया	215	"	"	79.93
6. तिलातनर	216	"	"	329.23
7. बिरागडील	217	"	"	26.00
8. नवाडीह	218	"	"	110.50
9. कर्मतनर	219	"	"	79.11
10. देवग्राम	220	"	"	650.00
11. उपरबाधा	221	"	"	8.70
12. जगीडीह	222	"	"	71.60
13. महल	225	"	"	1101.30
14. माराडीह	226	"	"	89.56
15. सिन्धुवाडीह	227	"	"	232.70
16. कुलसोरा	228	"	"	51.14
17. सीतानामा	229	"	"	16.00
18. खनपाराबाव	232	"	"	1.30
19. बनसारा	233	"	"	191.00
20. मानपुर	234	"	"	96.00
21. मारमा	235	"	"	30.80
22. गुदलीभीरा	236	"	"	2.70
23. मोहरा	112	"	"	230.00

कुल : 3720.87 एकड़ (लगभग)
या 1518.31 हेक्टर (लगभग)

मीजा ग्रामलाबाव में अर्जित किए जाने वाले प्लॉट सं.
खनन अधिकार

1(भाग), 2(भाग), 3(भाग), 4 से 6, 7 (भाग), 8, 9(भाग), 10(भाग), 11, 12 (भाग), 16 से 36, 37(भाग), 40(भाग), 41(भाग), 42 से 47, 48(भाग), 49, 50, 162(भाग), 171(भाग), 172(भाग), 177(भाग), 185(भाग), 186, 187(भाग), 188 (भाग), 189(भाग), 191(भाग), 192(भाग), 193(भाग), 205 (भाग), 207(भाग), 214(भाग), 215(भाग), 217(भाग), 218 से 262, 263(भाग), 264 से 384, 385(भाग), 386 से 811, 812(भाग), 813(भाग), 814(भाग), 815(भाग), 816 से 819, 821(भाग), 823 से 8261

फरसेहपुर मीजा में अर्जित किए जाने वाले प्लॉट सं.
खनन अधिकार

1283(भाग), 1284 से 1294, 1295(भाग), 1301(भाग), 1347(भाग), 1348(भाग), 1350(भाग), 1351, 1352, 1353(भाग), 1354 से 1401, 1402(भाग), 1403(भाग), 1405 (भाग), 1406 से 1408, 1409 (भाग), 1410(भाग), 1630 (भाग), 1693(भाग) से 1697(भाग), 1724(भाग), 1725 से 1733, 1734(भाग), 1735(भाग), 1736(भाग), 1737, 1738 (भाग), 1754(भाग), 1755(भाग), 1756(भाग), 1757(भाग), 1759 से 1817 और 18211

मीजा तिलातनर में अर्जित किए जाने वाले प्लॉट सं.

खनन अधिकार

1 से 639.

मीजा बिरागडीह में अर्जित किए जाने वाले प्लॉट सं.

खनन अधिकार

5(भाग), 6(भाग), 9(भाग), 10(भाग), 11, 12, 13, 14 (भाग), 15(भाग), 16 से 50, 51(भाग), 61(भाग), 65(भाग), और 68(भाग)।

मीजा नवाडीह में अर्जित किए जाने वाले प्लॉट सं.

खनन अधिकार

8 (भाग), 15 (भाग), 16 (भाग), 17 (भाग), 18 से 22, 23 (भाग), 26 (भाग), 30 (भाग), 33 (भाग), 34 (भाग), 35 (भाग), 36 से 70, 71 (भाग), 72 से 3101

मीजा देवग्राम में अर्जित किए जाने वाले प्लॉट सं.

खनन अधिकार

25 (भाग), 26 (भाग), 27 (भाग), 41 (भाग), 42 (भाग), 43 (भाग), 44 (भाग), 45 से 48, 49 (भाग), 59 (भाग), 60 से 106, 107 (भाग), 108 (भाग), 109, 110, 111 (भाग), 112 से 2866, 2867 (भाग), 2868 से 2887, 2893 से 29181

मीजा पर्वतपुर में अर्जित किए जाने वाले प्लॉट सं.

खनन अधिकार

2320 (भाग), 2322 (भाग), 2361, 2371 (भाग), 2374 (भाग), 2375 (भाग), 2376 से 2401, 2402 (भाग), 2404 से 2411, 2412 (भाग), 2413 (भाग), 2414, 2415 (भाग), 2416 (भाग), 2417 से 2421, 2422 (भाग), से 2425 (भाग), 2446 (भाग), 2447 (भाग), 2450 (भाग), 2451, 2452, 2453 (भाग), 2456 (भाग), 2455 (भाग), 2479 (भाग), 2480 (भाग), 2481 से 2494, 2495 (भाग), 2496 (भाग), 2497 (भाग), 2500 (भाग), 2508 (भाग), 2510 (भाग), 2525 (भाग), 2526 (भाग), 2527 (भाग), 2528 से 25491

मीजा मोहरा में अर्जित किए जाने वाले प्लॉट सं.

खनन अधिकार

3146 (भाग)।

मीजा उपरबाधा में अर्जित किए जाने वाले प्लॉट सं.

खनन अधिकार

494 (भाग), 495 (भाग), 497 (भाग), 498, 499 (भाग), 516, 667 (भाग), 668 (भाग), 671, 672 (भाग), 673 (भाग), 676 (भाग)।

मीठा जमीनीह में अर्जित किए जाने वाले प्लॉट सं.

खनन अधिकार

1, 2 (भाग), से 4 (भाग), 35 (भाग), 36 से 39, 524 (भाग), 525 (भाग), 540 (भाग), 541 (भाग), 567 (भाग), 568 (भाग), 581 (भाग), 602 (भाग), 1

मीठा महुल में अर्जित किए जाने वाले प्लॉट सं.

खनन अधिकार

1 से 1006, 1007 (भाग), 1008 से 1073, 1074 (भाग), 1075 से 2135 (भाग), 2136 (भाग), 2137 (भाग), 2138, 2139 (भाग), 2140 (भाग), 2157 (भाग), 2159 (भाग), 2160 (भाग), 2161 (भाग), 2162 से 2165, 2166 (भाग), 2167, 2168 (भाग), 2169 (भाग), 2170 (भाग), 2171 (भाग), 2180 (भाग), 2185 (भाग), 2186 (भाग), 2187 (भाग), 2191 (भाग), 2268 (भाग), 2348 (भाग), 2349 (भाग), 2350 से 2619, 2620 (भाग), 2621, 2622 (भाग), 2623 (भाग), 2624 (भाग), 2625 से 2673, 2674 (भाग), 2675 (भाग), 2676 (भाग), 2677 (भाग), 2678 (भाग), 2679 (भाग), 2680 (भाग), 2948 (भाग), 2971 (भाग), 2976 (भाग), 2977 से 2979, 2980 (भाग), 2981 से 2983, 2984 (भाग), 2985 से 3504, 3505 (भाग), 3506, 3507, 3508 (भाग), 3509 (भाग), 3510 से 3590, 3591 (भाग), 3592 से 3605, 3606 (भाग), से 3608 (भाग), 3634 (भाग), से 3636 (भाग), 3637, 3638, 3639 (भाग) से 3641 (भाग), 3642 से 3667, 3668 (भाग), 3669 से 3681, 3682 (भाग), 3684 (भाग), 3685, 3686, 3687 (भाग), 3688 से 3691, 3692 (भाग) से 3695 (भाग), 3697 (भाग), 3698 से 3701, 3702 (भाग), 3703, 3704 (भाग), 3728 (भाग), 3729 (भाग), 3730, 3731 (भाग), 3736 (भाग), 3741 (भाग), 3742, 3743 (भाग), 3744 से 3747, 3748 (भाग) से 3752 (भाग), 3754 (भाग), 3767 (भाग), 4078 (भाग) से 4080 (भाग), 4081 से 4097, 4098 (भाग), 4099, 4100 (भाग), 4103 (भाग), 4104 (भाग), 4105 (भाग), 4106 (भाग), 4107 (भाग), 4108 (भाग), 4109 (भाग), 4752 (भाग), 4753 (भाग), 4754 (भाग), 4755 से 5331, 5332 (भाग), से 5334 (भाग) 5335, 5336, 5337 (भाग), 5338 (भाग), 5339 से 5341, 5342 (भाग), 5343 (भाग), 5344 (भाग), 5345 से 5347, 5348 (भाग), 5353 (भाग), 5354 (भाग), 5355, 5356, 5357 (भाग), 5358, 5359 (भाग), 5360 (भाग), 5361 से 5363, 5364 (भाग), 5368 (भाग), 5369 (भाग), 5370 से 5372, 5373 (भाग), 5375 (भाग), 5376 से 5380, 5381 (भाग), 5382 (भाग), 5387 (भाग), 5388 से 5391, 5392 (भाग), 5393 (भाग), 5394 से 5396, 5397 (भाग), 5399 (भाग), 5400, 5401 से 5405, 5406 (भाग), 5409 (भाग), 5410 से 5413, 5414 (भाग), 5419 (भाग), 5420, 5421, 5422 (भाग), 5426 (भाग), 5427, 5428, 5429 (भाग), 5430, 5536, 5537 (भाग), 5538 से 5569, 5570 (भाग), 5571 (भाग), 5572 (भाग), 5574 (भाग), से 5577, 5581 (भाग), 5582 (भाग), 5583 से 5606, 5607 (भाग), 5608 से 5618, 5619 (भाग), 5620, 5621, 5622 (भाग), 5623 (भाग), 5624 से 5632 5633 (भाग), 5634 से 5636, 5645 (भाग), 5647 (भाग), 5653 (भाग), 5644 (भाग), 5654 (भाग), 5660 (भाग), 5661 (भाग), 5927 (भाग), 6093 (भाग), 6872 (भाग), 6892 (भाग), 6959 से 6968, 6971, 6972 से 6974, 6988, 6990, 6993, 6994, 6996, 6999, 7001, 7002, 7004 (भाग), 7005, 7006, 7007 (भाग), 7008 से 7011, 7017 से 7019, 7021, 7024, 7025, 7027, 7028, 7042, 7044, 7046, 7050 से 7054, 7070, 7071, 7073 7074, 7076, 7079 से 70821 मीठा कर्मातनगर में अर्जित किए जाने वाले प्लॉट सं.

खनन अधिकार

1 से 5561

मीठा केडुलिया में अर्जित किए जाने वाले प्लॉट सं.

खनन अधिकार

1 से 2671

मीठा काराडी में अर्जित किए जाने वाले प्लॉट सं.

खनन अधिकार

1 से 2911

मीठा ताराडीह में अर्जित किए जाने वाले प्लॉट सं.

खनन अधिकार

1 से 3581

मीठा सीतानाला में अर्जित किए जाने वाले प्लॉट सं.

खनन अधिकार

1 से 11, 12, 13, 14, 15 (भाग), 16 (भाग), 17 से 19, 20 (भाग), 21, 22, 24 (भाग), 25 से 27, 28 (भाग), 106 (भाग), 107 (भाग), 110 (भाग), 467 (भाग), 567 (भाग), 1124 (भाग), 125 (भाग), 1126, 1127, 1128 (भाग), 1130, 1131 (भाग), 1132 (भाग), 1133 (भाग), 1134 से 1135 (भाग)।

मीठा सिध्वाडीह में अर्जित किए जाने वाले प्लॉट सं.

खनन अधिकार

1 से 110, 111 (भाग), 112 (भाग), 146 (भाग), 147 (भाग), 148 से 613, 614 (भाग), 615 (भाग), 616 (भाग), 617 (भाग), 618 (भाग), 625 (भाग), 628 (भाग), से 631 (भाग), 636 (भाग), 637 (भाग), 638 से 652, 653 (भाग), 654 से 6931

मीठा कुलसारा में अर्जित किए जाने वाले प्लॉट सं.

खनन अधिकार

1 से 1401

मीठा बतसारा में अर्जित किए जाने वाले प्लॉट सं.

खनन अधिकार

1 से 417, 418 (भाग), 419 से 423, 424 (भाग), 425 से 437, 438 (भाग), 439 से 441, 442 (भाग), 444 (भाग), 446 (भाग), 447 (भाग), 448 से 450, 451 (भाग) से 453 (भाग), 472 (भाग), 473 (भाग), 474 (भाग), 475, 476 (भाग), 588 (भाग), 589 (भाग), 592 (भाग), 597 से 609, 610 (भाग) 614 (भाग), 615 से 754, 756 से 760, 762 से 7711

मीठा पन्नाद में अर्जित किए जाने वाले प्लॉट सं.

खनन अधिकार

37(भाग), से 39 (भाग), 40, 41(भाग), से 43(भाग), 56 (भाग), से 59 (भाग),

मीठा मानपुर में अर्जित किए जाने वाले प्लॉट सं.

खनन अधिकार

1 से 395, 395(भाग), 398 (भाग), 399(भाग), 400 से 424, 425 (भाग), 428 (भाग), 430 (भाग), 460 (भाग), 494 (भाग), 495 (भाग), 496, से 497 (भाग), 498 से 605, 606 (भाग), 607 (भाग), 659 (भाग), 660 से 670, 674 से 6761

मीजा गुरुलीभीता में अजित किए जाने वाले प्लॉट में
खनन अधिकार

1 (भाग) से 2(भाग)

मीजा सरना में अजित किए जाने वाले प्लॉट में

खनन अधिकार

1 से 6, 7(भाग), 8 से 10, 11(भाग), से 13 (भाग), 30 (भाग), 31, 32(भाग), 33(भाग), 35 (भाग), 42(भाग), 43 65, 66 (भाग), से 68 (भाग), 165 (भाग), से 167 (भाग) 168 से 174, 175 (भाग), से 178 (भाग), 179 से 187, 188(भाग), 189 से 196, 197(भाग), 198(भाग), से 199 (भाग) ।

महाल ब्लॉक का सीमा वर्णन

क--ख रेखा मीजा अमलाबाद के प्लॉट सं. 2, 3, 4, 821, 7, 9, 10, 12, 16, 39, 27, 37, 40, 41, 48, 214, 215, 217, 207, 205, 193, 194, 263, 189, 188, 187, 182, 185, 385, 177, 172 से होकर जाती है और बिन्दु "ख" पर मिलती है।

ख--ग रेखा मीजा अमलाबाद की सी एम प्लॉट सं. 171, 812 और 813 से होकर जाती है और बिन्दु "ग" पर मिलती है।

ग--घ रेखा मीजा अमलाबाद के सी एम प्लॉट सं. 813, 814, 815 और 162 से होकर जाती है और बिन्दु "घ" पर मिलती है।

घ--ङ रेखा मीजा अमलाबाद के सी एम प्लॉट सं. 162 से होकर जाती है और बिन्दु "ङ" पर मिलती है।

ङ--च रेखा मीजा अमलाबाद और भीवरा की सीमा के भाग के साथ जाती है और बिन्दु "च" पर मिलती है।

च--छ रेखा मीजा भीवरा के सी एम प्लॉट सं. 3146 से होकर जाती है और बिन्दु "छ" पर मिलती है।

छ--ज रेखा मीजा भीवरा के सी एम प्लॉट सं. 3146 उत्तरी सीमा के बिन्दु के साथ जाती है और बिन्दु "ज" और "ग" पर मिलती है।

ज--ओरस--अ रेखा मीजा भीरा के सी एम प्लॉट सं. 3146 मीजा सीतानासा की सी एम प्लॉट सं. 467, 28, 24, 22, 20, 16, 15, 106, 107, 110, मीजा सिम्बा-बुझीह के सी एम प्लॉट सं. 111, 112, 147, 146, 615, 616, 614, 617 से होकर जाती है और बिन्दु "ज" पर मिलती है।

अ--ट रेखा, मीजा सिम्बा-बुझीह के सी एम प्लॉट सं. 617, 618, 637, 636, 653, 630, 631, 628, 628, और 625, मीजा सीतानासा के सी एम प्लॉट सं. 1124, 1125, 1128, 1131 से होकर जाती है और बिन्दु "ट" पर मिलती है।

ट--ठ रेखा मीतानासा के सी एम प्लॉट सं. 1132, 1133, 1135, 567, मीजा बनसरा के सी एम प्लॉट सं. 476, 474, 470 472, 473, 444, 438, 437, 445, 446, 447, 453, 451, 452, 424, 589, 588, 592, 418, 409, 610, और 614, मीजा साकपरबत के सी एम प्लॉट सं. 38, 39, 37, 41, 42, 43, 56, 57, 58 और 50, मीजा भालपुर के सी एम प्लॉट सं. 606 से होकर जाती है और बिन्दु "ठ" पर मिलती है।

ड--डू

रेखा, मीजा मानपुर के सी एम प्लॉट सं. 606 607, 659, 495, 494, 497, 460, 425, 428, 429, 430, 399, 398 और 396, मीजा गुरुलीभीता के सी एम प्लॉट सं. 1, और 2, मीजा सरना के सी एम प्लॉट सं. 198 से होकर जाती है और बिन्दु "डू" पर मिलती है।

डू--डु

रेखा, मीजा सरना के सी एम प्लॉट सं. 198, 197 199, 188, 175, 177, 176, 167, 166, 165 66, 68, 67, 42, 35, 33, 32, 30, 11, 12, 13, और 7, मीजा महल के सी एम प्लॉट सं. 4098, 4100, 4103, 4104, 4105, 4106, 4109, 4108, 4107, 4080, 4079, 4078, 3505, 3508, 3509, 3754, 3752 3751, 3767, 3750, 3740, 3748, 3743, 3741, 3736, 3731, 3729, 3728, 3591, 3608, 3607, 3606, 3641, 3540, 3639, 3636, 3635, 3634, 3668, 3708, 3702, 3701, 3697, 3695, 3695, 3693, 3692, 3687, 3684, 3682, 4754, 4753, 4752, 5607, 5661, 5660, 5619, 5622, 5623, 5647, 5647, 5645, 5644, 5633, 5637, 5581, 5582, 5537, 7004, 5577, 5576, 5575, 5570, 5571, 5574, 5572, 5426, 5422, 5419, 5414, 5409, 5406, 5399, 5397, 5393, 5392, 5387, 5382, 5381, 5375, 5927, 5373, 5368 5369, 5364, 5360, 5359, 5357, 5353, 5354, 5348, 5344, 5342, 5338, 5337, 5334, 5333, 6093, 2975, 2974, 2973, 2972, 2971, 2976, 2980, 2984, 2680, 2678, 2677, 2675, 2676, 2624, 2623, 2622, 2620, 2348, 2349, 2135, 2268, 2140, 2139, 2137, 2136, 2157, 2159, 2161, 2166, 2187, 2186, 2185, 2168, 2169, 2170, 2180, 2171, 2174, 2175, 2176, 2177, 2179, 2178, 7007, 6892 और 6872, मीजा जुगडीह के प्लॉट सं. सी एम प्लॉट सं. 581, 569, 568, 542, 540, 525, 524, 41, 40, 42, 35, 3, 4, और 2, मीजा बंधा के सी एम प्लॉट सं. 672, 676, 673, 667, 499 और 494 से होकर जाती है और बिन्दु "डू" पर मिलती है।

डू--ण

रेखा मीजा उपरबांधा के सी एम प्लॉट सं. 494, 495, और 497, मीजा देवग्राम के सी एम प्लॉट सं. 2867, मीजा पर्वतपुर के सी एम प्लॉट सं. 2525, 2526, 2527, 2508, 2510, 2509, 2501, 2580, 2497, 2496, 2494, 2495, 2480, 2479, 2455, 2456, 2453, 2550, 2447, 2446, 2422, 2423, 2424, 2441, 2425, 2415, 2413, 2412, और 2322 से होकर जाती है और बिन्दु "ण" पर मिलती है।

ण—क:

रेखा मीजा पर्वतपुर के सी एस. नं. 2322, 2320, 2321, 2403, 2402, 2370, 2371, 2366, 2360, 2358, 2357, 2356, मीजा देवनाम के सी एस प्लॉट नं. 2893, 2891, 111, 108, 107, 59, 49, 41, 44, 43, 42, 27 और 25, मीजा नवाडीह के सी एस प्लॉट नं. 34, 35, 33, 32, 30, 26, 23, 8, 16, और 17, मीजा बिराजडीह के सी एस प्लॉट नं. 16, 15, 14, 10, 9, 8, 6, 5, 55, 53, 52, 65, 68, और 61, मीजा कोहपुर, के सी एस प्लॉट नं. 1680, 1693, 1694, 1695, 1696, 1697, 1701, 1724, 1734, 1736, 1721, 1720, 1719, 1739, 1738, 1758, 1757, 1756, 1754, 1755, 1409, 1410, 1405, 1404, 1403, 1441, 1349, 1350, 1348, 1347, 1353, 1301, 1395, 1291 और 1283, मीजा भमलानाद के सी एस प्लॉट नं. 1 से होकर जाती है और बिन्दु "क" पर मिलती है।

[नं. 19/83/82—सी एस/सीए.]

समय सिंह, अपर सचिव

MINISTRY OF ENERGY

(Department of Coal)

New Delhi, the 25th March, 1987

NOTIFICATION

S.O. 954.—Whereas by the notification of the Government of India in the Ministry of Energy (Department of Coal) No. S. O. 5060, dated the 14th October, 1985 under sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government gave notice of its intention to prospect for coal in 3720.87 acres (approximately) or 1518.31 hectares (approximately) of lands in the locality specified in the Schedule appended to that notification.

And, whereas, the Central Government is satisfied that coal is obtainable in 3720.87 acres (approximately) or 1518.31 hectares (approximately) out of the said lands;

Now, therefore, in exercise of the powers conferred by sub-sections (1) of section 7 of the said Act, the Central Government hereby gives notice of its intention to acquire the lands measuring 3720.87 acres (approximately) or 1518.31 hectares (approximately), and all rights there in, as described in the Schedule appended hereto;

Note—1—The plant No. BCCL/ED/45-82 dated the 20th July, 1982 of the area covered by this notification may be inspected in the office of the Deputy Commissioner Dhanbad (Bihar) or in the office of the Coal Controller, Council House Street, Calcutta or in the office of the Director Project Bharat Coking Coal Limited, Koyla Bhavan, Post Office Koyla Nagar, District (Dhanbad (Bihar));

Note—2 Attention is hereby invited to the provisions of section 8 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1975), which provides as follows :

- (1) Any person interested in any land in respect of which a notification under section 7 has been issued may, within thirty days of the issue of the notification, object to the acquisition of the whole or any land or of any rights in or over such land.

Explanation.—It shall not be an objection within the meaning of this section for any person to say that he himself desires to undertake mining operations in the land for the production of coal and that such operations should not be undertaken by the Central Government or by any other person.

- (2) Every objection under sub-section (1) shall be made to the competent authority in writing, and the competent authority shall give the objector an opportunity of being heard either in person or by a legal practitioner and shall, after hearing all such objections and after making such further, inquiry, if any, as he thinks necessary, either make a report in respect of the land which has been notified under sub-section (1) of section 7 or of rights in or over such land, or make different reports in respect of different parcels of such land or rights in or over such land, to the Central Government containing his recommendations on the objections, together with the record of the proceedings held him, for the decision of that Government.

- (3) For the purposes of this section, a person shall be deemed to be interested in land who would be entitled to claim an interest in compensation if the land or any rights in or over such land were acquired under this Act.

Note—3 The Coal Controller, Council House Street, Calcutta has been appointed by the Central Government as the competent authority under the Act.

MAHAL BLOCK

JHARIA COALFIELD

SCHEDULE

Mining Rights :

Sl. No.	Mouza (Village)	Thana No.	Police Station (Thana)	District	Area in Acres
1.	Parbatpur	204	Chas	Dhanbad	41.00
2.	Fatehpur	212	"	"	53.00
3.	Amlabad	213	"	"	111.20
4.	Karadi	214	"	"	118.10
5.	Kendulia	215	"	"	79.93
6.	Tijatanr	216	"	"	329.23
7.	Birajdi	217	"	"	26.00
8.	Nawadih	218	"	"	110.50
9.	Karmatanr	219	"	"	79.11
10.	Debgram	220	"	"	650.00
11.	Uparbandha	221	"	"	8.70
12.	Jugidath	222	"	"	71.60
13.	Mahal	225	"	"	1104.20
14.	Naradai	226	"	"	89.56
15.	Sibbabudih	227	"	"	232.70
16.	Kulsara	228	"	"	51.14
17.	Sitanala	229	"	"	16.00
18.	Chakparbad	232	"	"	1.30
19.	Bansara	233	"	"	191.00
20.	Manpur	234	"	"	96.00
21.	Jharna	235	"	"	30.80
22.	Gundlibhita	236	"	"	2.70
23.	Bhowra	112	"	"	230.00

Total : 3720.87
acres (approx.)

or 1518.31
hectares (approx.)

Plots nos. to be acquired in Mouza Amlabad.

Mining Rights :

1 (Part), 2 (Part) 3 (Part), 4 to 6, 7 (Part), 8, 9 (Part), 10 (Part), 11, 12 (Part), 16 to 36, 37 (Part), 40 (Part), 41 (Part), 42 to 47, 48 (Part), 49, 50, 162 (Part), 171 (Part), 172 (Part), 177 (Part), 185 (Part), 186, 187 (Part), 188 (Part), 189 (Part), 191 (Part), 192 (Part), 193 (Part), 205 (Part), 207 (Part), 214 (Part), 215 (Part), 217 (Part), 218 to 262, 263 (Part), 264 to 384, 385 (Part), 386 to 811, 812 (Part), 813 (Part), 814 (Part), 815 (Part), 816 to 819, 821 (Part), 823 to 826.

Plots nos. to be acquired in Mouza Fatehpur

Mining Rights

1283 (Part), 1284 to 1294, 1295 (Part), 1301 (Part), 1347 (Part), 1348 (Part), 1350 (Part), 1351, 1352, 1353 (Part), 1354 to 1401, 1402 (Part), 1403 (Part), 1405 (Part), 1406 to 1408, 1409 (Part), 1410 (Part), 1680 (Part), 1693 (Part), to 1697 (Part), 1724 (Part), 1725 to 1733, 1734 (Part), 1735 (Part), 1736 (Part), 1737, 1738 (Part), 1754 (Part) 1755 (Part), 1756 (Part), 1757 (Part), 1759 to 1817 & 1821.

Plots nos. to be acquired in Mouza, Tilatanr Mining Rights :

1 to 639

Plots No. to be acquired in mouza Birajdi Mining Rights :

5 (Part), 6 (Part), 9 (Part), 10 (Part), 11, 12, 13, 14 (Part), 15 (Part), 16 to 50, 51 (Part), 61 (Part), 65 (Part), & 68 (Part).

Plot Nos. to be acquired in Mouza Nawadih Mining Rights :

8 (Part), 15 (Part), 16 (Part), 17 (Part), 18 to 22, 23 (Part), 26 (Part), 30 (Part), 33 (Part), 34 (Part), 35 (Part), 36 to 70, 71 (Part), 72 to 310.

Plots nos. to be acquired in Mouza Debgram Mining Rights :

25 (Part), 26 (Part), 27 (Part), 41 (Part), 42 (Part), 43 (Part), 44 (Part), 45 to 48, 49 (Part), 59 (Part), 60 to 106, 107 (Part), 108 (Part), 109, 110, 111, (Part), 112 to 2866, 2867 (Part), 2868 to 2887, 2893 to 2918.

Plots Nos. to be acquired in Mouza Parbatpur Mining Rights

2320 (Part), 2322 (Part), 2361, 2371 (Part), 2374 (Part), 2375 (Part), 2376 to 2401, 2402 (Part), 2404 to 2411, 2412 (Part), 2413 (Part), 2414, 2415 (Part), 2416 (Part), 2417 to, 2411, 2422 (Part), to 2425 (Part), 2446 (Part), 2447 (Part), 2450 (Part), 2451, 2452, 2453 (Part), 2456 (Part), 2455 (Part), 2479 (Part), 2480 (Part), 2481 to 2494, 2495 (Part), 2496 (Part), 2477 (Part), 2500 (Part), 2501 (Part), 2508 (Part), 2510 (Part), 2525 (Part), 2526 (Part), 2527 (Part), 2528 to 2549.

Plot Nos. to be acquired in mouza Bhowra Mining Rights :

3146 (Part).

Plots nos. to be acquired in Mouza Uparbanda Mining Rights :

494 (Part), 495 (Part), 497 (Part), 498, 499 (Part), 516, 667 (Part), 668 (Part), 671, 672 (Part), 673 (Part), 676 (Part).

Plots nos. to be acquired in Mouza Jugidi Mining Rights :

1, 2 (Part), to 4 (Part), 35 (Part), 36 to 39 (Part), 524 (Part), 525 (Part), 540 (Part), 541 (Part), 567 (Part), 568 (Part), 581 (Part), 602 (Part).

Plots nos. to be acquired in Mouza Mahal Mining Rights :

1 to 1006, 1007 (Part), 1008 to 1073, 1074 (Part), 1075 to 2135 (Part), 2136 (Part), 2137 (Part), 2138, 2139 (Part), 2140 (Part), 2157 (Part), 2159 (Part), 2160 (Part), 2161 (Part), 2162 to 2165, 2166 (Part), 2167, 2168 (Part), 2169 (Part), 2170 (Part), 2171 (Part), 2133 (Part), 2185 (Part), 2185 (Part), 2187 (Part), 2191 (Part), 2268 (Part), 2348 (Part), 2349 (Part), 2350 to 2619, 2620 (Part), 2622, 2622 (Part), 2623 (Part), 2624 (Part), 2625 to 2673, 2674 (Part), 2675 (Part), 2676 (Part), 2677 (Part), 2678 (Part), 2679 (Part), 2680 (Part), 2948 (Part), 2971 (Part), 2976 (Part), 2977 to 2979, 2983 (Part), 2981 to 2983, 2984 (Part), 2985 to 3504, 3505 (Part), 3506, 3507, 3508 (Part), 3509 (Part), 3510 to 3590, 3591 (Part), 3592 to 3605, 3606 (Part), to 3603 (Part), 3634 (Part) to 3636 (Part), 3637, 3638, 3639 (Part) to 3641 (Part), 3642 to

3667, 3668 (Part), 3669 to 3682 (Part), 3684 (Part), 3696, 3687 (Part), 3688 to 3691, 3692 (Part), 3695 (Part), 3697 (Part), 3698 to 3710, 3702 (Part), 3703, 3704 (Part), 3728 (Part), 3729 (Part), 3730, 3731, (Part), 3736 (Part), 3741 (Part), 3742, 3743 (Part), 3744 to 3747, 3748 (Part), to 3752 (Part), 3754 (Part), 3767 (Part), 4078 (Part) to 4080 (Part), 4081 to 4097, 4098 (Part), 4009, 4100 (Part), 4103 (Part), to 4109 (Part), 4752 (Part) to 4754 (Part), 4755 to 5331, 5332 (Part), 5334 (Part), 5335, 5336, 5337 (Part), 5338 (Part), 5339 to 5341, 5342 (Part), 5343, 5344 (Part), 5345 to 5347, 5348 (Part), 5353 (Part), 5354 (Part), 5355, 5356, 5357 (Part), 5358, 5359 (Part), 5360 (Part), 5361 to 5363, 5364 (Part), 5368 (Part), 5369 (Part), 5370 to 5372, 5372, 5373 (Part), 5376 to 5380, 5381 (Part), 5382 (Part), 5387 (Part), 5388 to 5391, 5392 (Part), 5394 to 5396, 5397 (Part), 5399 (Part), 5400 to 5405, 5406 (Part), (Part), 5410 to 5413, 5414 (Part), 5419 (Part), 5420, 5421, 5422 (Part), 5426 (Part), 5427, 5428, 5429 (Part), 5430, 5536, 5537 (Part), 5538 to 5569, 5570 (Part) to 5572 (Part), 5574 (Part), to 5577 (Part), 5581 (Part), 5582 (Part), 5583 to 5606, 5607 (Part), 5608 to 5619 (Part), 5620, 5621, 5622 (Part), 5623 (Part), 5624 to 5632, 5633 (Part), 5634 to 5636, 5637 (Part), 5644 (Part), 5644 (Part), 5645 (Part), 5647 (Part), 5653 (Part), 5654 (Part), 5660 (Part), 5661 (Part), 5927 (Part), 6093 (Part), 6872 (Part), 6892 (Part), 5959 to 6968, 6968, 6972, 6972, 6974, 6988, 6990, 6993, 6994, 6996, 6999, 7001, 7002, 7004 (Part), 7004 (Part), 7005, 7006, 7007 (Part), 7008 to 7011, 7017 to 7019, 7021, 7024, 7025, 7026, 7027, 7028, 7042, 7044, 7046, 7050, to 7054, 7070, 7071, 7073, 7074, 67076, & 7069 to 7082.

Plots Nos. to be acquired in Mouza Karmatnr. Mining Rights :

1 to 556

Plot Nos. to be acquired in Mouza Kendulia Mining Rights:

1 to 267

Plot No. to be acquired in Mouza Karudih Mining Rights :

1 to 291

Plots No. to be acquired in Mouza Naradi Mining Rights :

1 to 358

Plot Nos. to be acquired in Mouza Sitanala Mining Rights :

1 to 11, 12, 13, 15, 15 (Part), 16 (Part), 17 to 19, 20 (Part), 21, 22, 24 (Part), 25 to 27, 28 (Part), 106 (Part), 107 (Part), 110 (Part), 467 (Part), 567 (Part), 1124 (Part), 1125 (Part), 1126 , 1127, 1128 (Part), 1130, 1131 (Part), 1132 (Part), 1133 (Part), 1134 to 1135 (Part),

Plot Nos. to be acquired in Mouza Sibbabudih Mining Rights :

1 to 110, 222 (Part), 112 (Part), 146 (Part), 147 (Part), 148 to 613, 614 (Part), 615 (Part), 616 (Part), 617 (Part), 618 (Part), 625 (Part), 628 (Part), to 631 (Part), 636 (Part), 637 (Part), 638 to 652, 653 (Part), 654 to 693.

Plot Nos. to be acquired in mouza Kulsera Mining Rights :

1 to 40

Plot Nos. to be acquired in Mouza Bensara Mining Rights :

1 to 417, 418 (Part), 419 to 423, 424 (Part), 425 to 437 438 (Part), 439 to 441, 442 (Part), 444 (Part), 446 (Part), 447 (Part), 448 to 450, 451 (Part) to 453 (Part), 472 (Part), 473 (Part), 474 (Part), 475 , 476 (Part), 488 (Part), 589 (Part), 592 (Part), 597 to 609, 610 (Part), 614 (Part), 615 to 754, 756 to 760 to 762 to 771.

Plot Nos. to be acquired in Mouza Parbad Mining Rights :

37 (Part) to 39 (Part), 40, 41 (Part), to 43 (Part), 56 (Part), to 59 (Part).

Plot Nos. to be acquired in Mouza Manpur Mining Rights :

1 to 395, 396 (Part), 398 (Part), 399 (Part), 400 to 423, 525 (Part), 428 (Part), 430 (Part), 460 (Part), 494 (Part), 495 (Part), 496 to 497 (Part), 498 to 605, 606 (Part), 607 (Part), 659 (Part), 660 to 674 to 676.

Plot Nos. to be acquired in Mouza Gundilbhitia Mining Rights :

1 (Part) to 2 (Part).

Plot Nos. to be acquired in mouza Jharna Mining Rights :

1, 6, 7 (Part), 8 to 10, 11 (Part) to 13 (Part), 30 (Part), 31, 32 (Part), 33 (Part), 35 (Part), 42 (Part), 43 to 65, 66 (Part) to 68 (Part), 165½ (Part) to 167 (Part), 168 to 174, 175 (Part) to 178 (Part), 179 ½ to 187, 188 (Part), 189 to 196, 197 (Part), 198 (Part) to 199 (Part).

Boundary description of Mahal Block

- A—B Line passes through C. S. Plots Nos. 2, 3, 4, 821, 7, 9, 10, 12, 16, 39, 27, 40, 41, 214, 215, 217, 207, 205, 193, 191, 263, 189, 188, 187, 182, 185, 385, 177, 172, of Mouza Amlabad and meets at point.
- B—C, Line passes through C. S. Plot Nos. 171, 812, & 813 of Mouza Amlabad and meets at point 'C'.
- C—D, Line passes through C. S. Plots, Nos. 813, 814, 815 & 162 of Mouza Amlabad and meets at point 'D'.
- D—E Line passes through C. L. Plot Nos. 162, of Mouza Amlabad and meets at point 'E'.
- E—F Line passes along the part boundary of mouza Amlabad and Bhouwrah and meets at point 'F'.
- F—G Line passes through C. S. Plots nos. 3146 to of mouza Bhowra and meets at point 'G'.
- G—H Line passes along the point of Northern Boundary of C. S. Plots Nos. 3146 of mouza Bhowra and meets at Point H & I.
- H&I—J Lines passes through C. S. Plots Nos. 3146 of Mouza Bhowrah, C. S. Plots nos. 467, 28, 24, 22, 20, 16, 15, 106, 107, 12, 110 of Mouza Sitanala C. S. Plots Nos. 111, 112, 147, 146, 615, 616, 614, 617 of mouza Sibbabodih and meets at point 'J'.
- J—K Lines passes through C. S. Plot 617, 618, 637, 636, 653, 630, 631, 629, 628, & 625 of mouza Sibbabodih, C. S. Plots 1124, 1125, 1128, 1131, of mouza Sitanala and meets at point 'K'.
- K—L Line passes through C. S. Plot Nos. 1132, 1133, 1135, 567 of mouza Sitanala, C. S. Plot Nos. 476, 474, 470, 472, 473, 442, 438, 437, 445, 446, 447, 453, 451, 452, 424, 589, 588, 592, 418, 409, 610, & 614 of mouza Bansara C. S. plot Nos. 38, 39, 37, 41, 42, 435, 56, 57, 58 & 59 of mouza Chak Parbad C. S. Plot Nos. 606 of mouza Manpur and meets at Point 'L'.
- L—M Line passes through C. S. Plot Nos. 606, 607, 659, 495, 494, 497, 460, 425, 428, 429

430, 399, 398 & 396 of mouza Manpur C. S. Plot nos. 1 & 2 of mouza Gundilbhitia, & C. S. Plot Nos. 198 of mouza Jharna & meets at Point 'M'.

M—N,

Line passes through C. S. Plot Nos. 198, 197, 199, 188, 175, 177, 176, 167, 166, 165, 66, 68, 67, 42, 35, 33, 32, 30, 11, 12, 13, & 7 of mouza Jharna C. S. Plot Nos. 4098, 4100, 4103, 4104, 4105, 4106, 4109, 4108, 4107, 4080, 4079, 4078, 3505, 3508, 3509, 3754, 3752, 3751, 3767, 3750, 3748, 3748, 3743, 3741, 3736, 3731, 3729, 3728, 3591, 3608, 3607, 3606, 3641, 3540, 3639, 3636, 3635, 3634, 3668, 3704, 3702, 3701, 3697, 3695, 3694, 3693, 3694, 3687, 3684, 3682, 4754, 4753, 4752, 5607, 5661, 5660, 5619, 5622, 5623, 5647, 5647, 5645, 5644, 5633, 5637, 5581, 5582, 5537, 7004, 5577, 5576, 5575, 5570, 5571, 5574, 5572, 5426, 5422, 5491, 5414, 5409, 5406, 55399, 5397, 5393, 5419, 5387, 5382, 5381, 5375, 5927, 5373, 5368, 5369, 5364, 5360, 5359, 5357, 5353, 5353, 5354, 5348, 5344, 5342, 5338, 5337, 5334, 5333, 5332, 6093, 2975, 2974, 2973, 2972, 2971, 2976, 2980, 2984, 2680, 2678, 2677, 2675, 2676, 2624, 2623, 2622, 2620, 2348, 2349, 2135, 2268, 2140, 2139, 2137, 2136, 2157, 2159, 2161, 2166, 2187, 2186, 2185, 2168, 2169, 2170, 2180, 2171, 2174, 2175, 2176, 2177, 2179, 2178, 7007, 6892, & 6872 of mouza Mahal, C. S. Plot Nos. 581, 569, 568, 542, 540, 525, 524, 41, 40, 42, 35, 3, 4, & 2 of mouza Jugidih, C. S. Plot Nos. 672, 676, 673, 667, 499 & 494 of mouza Bandha and meets at point 'N'.

N—O,

Line passes through C. S. Plot Nos. 494, 495, & 497 of mouza Upparbandh C. S. Plot Nos. 2867 of mouza Debgram C. S. Plot Nos. 2525, 2526, 2527, 2508, 2510, 2509, 2501, 2500, 2497, 2496, 2494, 2495, 2480, 2479, 2455, 2456, 2453, 2550, 2447, 2447, 2446, 2422, 2423, 2424, 2441, 2425, 2415, 2413, 2412, 2412, & 2322 of mouza Parbatpur and meets at point 'O'.

D—A,

Line passes through C. S. Plot Nos. 2322, 2320, 2321, 2403, 2402, 2370, 2371, 2366, 2360, 2358, 2357, 2356, of Mouza Parbatpur C. S. Plot Nos. 2893, 2891, 111, 108, 107, 159, 49, 41, 41, 43, 42, 27, & 25 of mouza Debgram C. S. Plot Nos. 34, 35, 33, 32, 30, 26, 23, 8, 16 & 17 of mouza Nawadih, C. S. Plot Nos. 16, 15, 14, 10, 9, 8, 6, 5, 55, 53, 52, 65, 68 & 61 of mouza Biradij C. S. Plot Nos. 1680, 1693, 1694, 1695, 1696, 1697, 1701, 1724, 1734, 1736, 1721, 1720, 1719, 1739, 1738, 1758, 1757, 1756, 1754, 1755, 1409, 1410, 1405, 1404, 1403, 1441, 1349, 1350, 1348, 1347, 1353, 1301, 1295, 1291, & 1283 of mouza Fatehpur, C. S. Plot Nos. 1 of mouza Amlabad and Meets at Point 'A'.

[No. 19/83/82-CL/CA]

SAMAY SINGH, Under Secy.

परमाणु ऊर्जा विभाग

बम्बई, 10 मार्च, 1987

क्रा. प्रा. 955--राष्ट्रपति इस विभाग की तारीख 25 अप्रैल, 1986 की अधिसूचना सं. 18/1/9/85--ई अर/2106 के क्रम में परमाणु ऊर्जा नियामक बोर्ड का पुनर्गठन अवसा आदेश जारी होने तक के लिए निम्नलिखित प्रकार से करते हैं।

1. प्रोफेसर ए. के. डे अध्यक्ष
2. श्री जे. सी. शाह, अंशकालिक सदस्य
भूतपूर्व अध्यक्ष,
परमाणु विद्युत,
प्राधिकरण और भू. पू. अध्यक्ष,
गुजरात राज्य बिजली बोर्ड तद्वै
3. प्रोफेसर के. श्री राम, तद्वै
लार्सन एंड टूब्रो एनर्जी,
प्रोफेसर, आई आई टी, बम्बई
4. डा. पी. बी. देसाई, तद्वै
निदेशक टाटा स्मारक केन्द्र,
बम्बई
5. अध्यक्ष, पदेन अंशकालिक सदस्य
परमाणु ऊर्जा विभाग
सुरक्षा समीक्षा समिति
6. श्री पी. एन. कृष्णामूर्ति सदस्य सचिव
वैज्ञानिक अधिकारी "एच"

[संख्या 18/1/9/85 ई अर/698]

जे. भगवती, उप सचिव

DEPARTMENT OF ATOMIC ENERGY

Bombay, the 10th March, 1987

S. O. 955 :—In continuation of this Department's Notification No. 18/1/9/85-ER/2106 dated April 25, 1986, the President is pleased to reconstitute the Atomic Energy Regulatory Board as under until further orders :

1. Prof. A. K. De --Chairman
2. Shri J. C. Shah, --Part-time Member
Former Chairman,
Atomic Power Authority &
Former Chairman,
Gujarat State Electricity Board
3. Prof. K. Shri Ram, --Part-time Member
Larsen & Toubro Energy Professor,
IIT, Bombay.
4. Dr. P. B. Desai, --Part-Time Member
Director,
Tata Memorial Centre,
Bombay.
5. Chairman, --Ex-Officio--Part-time Member
DAE Safety Review Committee.
6. Shri P. N. Krishnamoorthy, --Member-Secretary

[No. 18/1/9/85-ER/698]

J. BHAGWATI, Deputy Secy.

बम्बई, 15 जनवरी, 1987

क्रा. प्रा. 958--केन्द्रीय सरकार, सार्वजनिक परिसर (प्राधिकृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के परमाणु ऊर्जा विभाग के तारीख 30 जुलाई, 1973 के सविधिक आदेश सं. 2366 के अंतर्गत जारी की गई अधिसूचना के अनुसरण में, नीचे दी गई सारणी के स्तंभ (1) में उल्लिखित अधिकारी को, जोकि सरकार के एक राज-पक्षित अधिकारी हैं, उक्त अधिनियम के प्रयोजनों के लिए संपदा अधिकारी नियुक्त करती है। ये अधिकारी अपने को प्रदत्त शक्तियों का उपयोग और उक्त अधिनियम द्वारा अथवा उसके अंतर्गत संपदा अधिकारियों में अधिरोपित कर्तव्यों का पालन उक्त सारणी के स्तंभ-2 में तत्संबंधी प्रविष्टियों में विनिर्दिष्ट सार्वजनिक परिसरों के संबंध में उन परिसरों संबंधी अपनी अधि-कारिता की स्थानीय सीमाओं में करते हुए करेंगे।

अधिकारी का नाम	सार्वजनिक परिसरों के प्रवर्ग और अधिकारिता की स्थानीय सीमाएं
प्रशासनिक अधिकारी	(i) राजतभाटा में भारी पानी संयंत्र, कोटा के संयंत्र स्थल पर और कालोनी में वे सभी कार्यालय और आवासीय परिसर जो उस संयंत्र की संपत्ति हैं।
भणुशक्ति, कोटा, राजस्थान।	(ii) राजतभाटा में वे सभी सड़कें और उन पर बनी बुकानें अथवा स्थापनाएं जो भारी पानी संयंत्र (कोटा) की संपत्ति हैं।
	(iii) भणुशक्ति में संयंत्र स्थल पर अथवा राजत भाटा में कालोनी में वे सभी भू-खंड और संरचनाएं जो भारी पानी संयंत्र, कोटा की संपत्ति हैं।

[सं. 13/2/85-एस एस एस]

Bombay, the 15th January, 1987

S. O. 956 :—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) and in supersession of the notification of the Government of India in the Department of Atomic Energy No. S. O. 2366 dated 30th July, 1973, the Central Government hereby appoints the Officer mentioned in Column (1) of the Table below, being a Gazetted Officer of Government, to be an Estate Officer for the purposes of the said Act who shall exercise of the powers conferred, and perform the duties imposed on Estate Officers by or under the said Act within the local limits of his respective jurisdiction in respect of the public premises specified in the corresponding entries in column (2) of the said Table.

Designation of the Officer	Categories of Public Premises and local limits of jurisdiction
1	2
Administrative Officer, Heavy Water Project, Anushakti, Kota, Rajasthan.	(i) All Offices and housing premises belonging to HWP(K) at site and colony at Ravatbhata.

1	2
	(ii) All rods and shops or other establishments thereon belonging to HWP(K) at Ravatbhata.
	(iii) All lands and structures within the site at Anushakti or Colony at Ravatbhata belonging to HWP(K).
[No. 13/2/85-SSS]	

बम्बई, 4 मार्च, 1987

का. भा. 957:—केन्द्रीय सरकार, सार्वजनिक परिसर (अप्राधिकृत अधिभोगियों की बेवखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नीचे दी गई सारणी के स्तंभ (1) में उल्लिखित अधिकारी को, जोकि सरकार के एक राजपत्रित अधिकारी है, उक्त अधिनियम के प्रयोजनों के लिए संपदा अधिकारी नियुक्त करती है। ये अधिकारी अपने को प्रदत्त शक्तियों का उपयोग और उक्त अधिनियम द्वारा अथवा उसके अंतर्गत संपदा अधिकारियों में अधिरोपित कर्तव्यों का पालन उक्त सारणी के स्तंभ-2 में तत्संबंधी प्रविष्टियों में विनिर्दिष्ट सार्वजनिक परिसरों के संबंध में करेंगे।

सारणी

अधिकारी का नाम	सार्वजनिक परिसरों के प्रयोग और अधिकारिता की स्थानीय सीमाएं
(1)	(2)
क्षेत्रीय निदेशक, दक्षिणी क्षेत्र, परमाणु, खनिज प्रभाग, परमाणु ऊर्जा विभाग, बंगलौर, कर्नाटक।	वे सभी आवासीय स्थान जो परमाणु, खनिज प्रभाग, परमाणु ऊर्जा विभाग, बंगलौर, कर्नाटक की संपत्ति हैं अथवा जो उसके प्रशासकीय नियंत्रणाधीन हैं।

[सं. 13/32/84-एस एस एस]

Bombay, the 4th March, 1987

S. O. 957 :—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being a gazetted Officer of Government, to be the estate officer for the purpose of the said Act, who shall exercise the powers conferred and perform the duties imposed on estate officer by or under the said Act, in respect of public premises specified in column (2) of the said Table.

TABLE

Designation of the Officer	Categories of Public Premises and local limits of Jurisdiction
(1)	(2)
Regional Director, Southern Region, Atomic Minerals Division,	Residential accommodation belonging to or under the administrative

1	2
Department of Atomic Energy, Bangalore, Karnataka.	control of the Atomic Minerals Division, Department of Atomic Energy, Bangalore, Karnataka.

[No. 13/32/84-SSS]

का. भा. 958:—केन्द्रीय सरकार, सार्वजनिक परिसर (अप्राधिकृत अधिभोगियों की बेवखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नीचे दी गई सारणी के स्तंभ (1) में उल्लिखित अधिकारी को, जोकि सरकार के एक राजपत्रित अधिकारी है, उक्त अधिनियम के प्रयोजनों के लिए संपदा अधिकारी नियुक्त करती है। ये अधिकारी अपने को प्रदत्त शक्तियों का उपयोग और उक्त अधिनियम द्वारा अथवा उसके अंतर्गत संपदा अधिकारियों में अधिरोपित कर्तव्यों का पालन उक्त सारणी के स्तंभ-2 में तत्संबंधी प्रविष्टियों में विनिर्दिष्ट सार्वजनिक परिसरों के संबंध में करेंगे।

सारणी

अधिकारी का नाम	सार्वजनिक परिसरों के प्रयोग और अधिकारिता की स्थानीय सीमाएं
(1)	(2)
क्षेत्रीय निदेशक, उत्तर पूर्वी क्षेत्र, परमाणु, खनिज प्रभाग, परमाणु ऊर्जा विभाग, शिलांग, आसाम।	वे सभी आवासीय स्थान जो परमाणु, खनिज प्रभाग, परमाणु ऊर्जा विभाग, आसाम की संपत्ति हैं अथवा उसके प्रशासनिक नियंत्रणाधीन हैं।

[सं. 13/32/84 एस. एस. एस.]

एस. के. कपूर, अवर सचिव

भारत के राष्ट्रपति के लिए तथा उनकी ओर से

S. O. 958 :—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being a gazetted officer of Government, to be the estate officer for the purpose of the said Act, who shall exercise the powers conferred and perform the duties imposed on estate officer by or under the said Act, in respect of public premises specified in column (2) of the said Table.

TABLE

Designation of the Officer	Categories of Public Premises and local limits of Jurisdiction.
(1)	(2)
Regional Director, North Eastern Region, Atomic Minerals Division, Department of Atomic Energy, Shillong, Assam.	Residential accommodation belonging to or under the administrative control of the Atomic Minerals Division, Department of Atomic Energy, Assam.

[No. 13/32/84-SSS]

S. K. KAPOOR, Under Secy.
for and on behalf of the President of India

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 18 मार्च, 1987

का. प्रा. 959.—तेल उद्योग (विकास) अधिनियम, 1974 (1974 का 47) की धारा 3 की उपधारा (3) के खंड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार, एतद्वारा श्री जी. वी. रामकृष्ण, सचिव, पेट्रोलियम और प्राकृतिक गैस मंत्रालय को 18 मार्च, 1987 से दो वर्षों के लिए तेल उद्योग विकास बोर्ड में पेट्रोलियम से संबंधित मामलों में मंत्रालय का प्रतिनिधित्व करने के लिए सचिव के रूप में पुनः नियुक्त करती है।

[संख्या-7/9-85-विस्त-II]

एम. कुमारस्वामी, निदेशक (वित्त)

MINISTRY OF PETROLEUM AND NATURAL GAS

New Delhi, the 18th March, 1987

S.O. 959.—In exercise of the powers conferred by clause (a) of sub-section (3) of section 3 of the Oil Industry (Development) Act, 1974 (47 of 1974), the Central Government hereby reappoints Shri G. V. Ramkrishna, Secretary, Ministry of Petroleum & Natural Gas, as a member of the Oil Industry Development Board to represent the Ministry dealing with petroleum, with effect from the 18th March, 1987 and for a period not exceeding two years.

[No. 7/9/85-Fin.II]

M. KUMARASWAMI, Director (Finance)

नई दिल्ली, 23 मार्च, 1987

का.प्रा. 960.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में एस.एन.सी.आई. से एस.एन.सी.जे. अंदर संबंधीन तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आग्रह एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोवरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

एस.एन.सी.आई. से एस.एन.सी.जे. (अंदर संबंधीन) तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात		जिला एवं तालुका : मेहसाणा		
गांव	ब्लॉक नं.	हेक्टर	घर.	सेन्टीमैट्र
कामलपुरा	480	0	09	84
कार्ट ट्रैक		0	02	40
598		0	05	40
597		0	04	20
599		0	06	72

[सं. O-12016/24/87-ओ एन जी-डी 4]

New Delhi, the 25th March, 1987

S.O. 960.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from SNCI to SNCI (inter-connection) in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipe line, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, objection to the laying of the pipe line under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-390009;

And every person making such an objection shall also state specifically whether he wishes to be here in person or by legal practitioner.

SCHEDULE

Pipe line from ROU from SNCI to SNCI (Inter Connection)
State : Gujarat District & Taluka : Mehsana

Village	Block No.	Hectare	Acre	Centri
Kasalpura	480	0	09	84
	Cart Track	0	02	40
	598	0	05	40
	597	0	04	20
	599	00	06	72

[No. O-12016/24/87-ONG-D-4]

का.प्रा.सं. 961.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में बी.एस.एच. एच. (बी-33) में बतेल जी.जी.एस. तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए;

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है;

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आग्रह एतद्वारा घोषित किया है;

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

बी.एल.एच.एच. (बी-33) से, बलोल जी. जी. एस. तक पाइपलाइन बिछाने के लिए

राज्य : गुजरात		जिला : मेहसाणा		तालुका : मेहसाणा
गांव	सर्वे नं.	हेक्टर	आर.	सेंटियर्स
बलोल	724	00	02	40
	725	00	16	20
	749/1	00	05	52
	750	00	04	56
	753	00	08	76
	सर. भूमि	00	01	92

[सं. O-12016/25/87-ओ एन जी-डी-4]

S.O. 961.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from BLHH (P-33) to Balol GGS in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, objection to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Markerpura Road, Baroda or by legal practitioner.

Any person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from BLHH (B-33) to Balol GGS

State: Gujarat District & Taluka: Mehsana

Village	Survey No.	Hectare	Acre	Centiare
Balol	724	00	02	40
	725	00	16	20
	749/1	00	05	52
	750	00	04	56
	753	00	08	76
Govt. Land	00	01	92	

[No. O-12016/25/87-ONG-D-4]

का.आ.सं. 962.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में बी.एल.एच.एच. (बी-33) से बलोल जी.जी.एस. तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे, पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

बी.एल.एच.एच. (बी-33) से बलोल-जी जी एस तक पाइपलाइन बिछाने के लिए।

राज्य : गुजरात	जिला : मेहसाणा		तालुका : मेहसाणा	
गांव	सर्वे नं.	हेक्टर	आर	सेन्टीयर्स
मिठा	400/1	00	03	84

[सं. O-12016/26/87-ओ एन जी-डी-4]

S.O. 962.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from BLHH (B-33) to Balol GGS in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein;

Provided that any person interested in the said land may, within 24 days from the date of their notification objection to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-390009.

Any person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from BLHH (B-33) to BALOL GGS

State: Gujarat District & Taluka: Mehsana

Village	Survey No.	Hectare	Acre	Centiare
Mitha	400/1	00	03	84

[No. O-12016/26/87-ONG-D-4]

का.आ.सं. 963.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में आर ओ यू एस-1 से एस एस टी एक तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतदुपाय अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3

की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अंशित करने का अपना आशय एतद्वारा धोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सक्षम प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बरोडा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी मुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

आर.ओ.यू.एस. 1 से एस.एस.सी.टी.एफ. तक पाइपलाइन बिछाने के लिए।

राज्य : गुजरात	जिला एवं तालुका : मेहसाणा			
गांव	ब्लॉक नं.	हेक्टर	आर	सेन्टीयर्स
इसपुरा	612	0	05	30
	590	0	02	00
	589	0	03	10
	588	0	15	10
	587	0	09	10
	584	0	03	40
	583	0	10	80

[स.ओ-12016/27/87-प्रोड.]

पी० के० राजगीपालन, जैक अधिकारी

S.O. 963.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from ROUS-1 to SSCITF in Gujarat State pipeline should be laid by the Oil & Natural Gas Commission.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the Right of User in the land described in the Schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the section 3 of the Petroleum & Minerals Pipelines (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the Right of User therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification, objection to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-390009.

Any every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from R.O.U. S : 1 to S. S. C. T. F.

State : Gujarat District : Mehsana Taluka : Mehsana

Village	Block No.	Hectare	Are	Centiare
Ispura	612	0	05	30
	590	0	02	00
	589	0	03	10
	588	0	15	10
	587	0	09	10
	584	0	03	40
	583	0	10	80

[No. O-12016/27/87-ONG-D-4]

P. K. RAJAGOPALAN, Desk Officer

मागर विमानन मंत्रालय

नई दिल्ली, 23 मार्च, 1987

का. आ. 964.—केन्द्रीय सरकार, राजवाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियमावली, 1976, के नियम 10 के उप-

नियम (4) के अनुसरण में, मागर विमानन मंत्रालय के प्रशासनिक नियंत्रणाधीन कार्यालय "वायुदूत" (मुख्यालय) को जिसके कर्मचारीगण में हिंदी का भारमाध्यक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[संख्या ई-11011/4/85-हिंदी]

देवस्वरूप, निदेशक

MINISTRY OF CIVIL AVIATION

New Delhi, the 23rd March, 1987

S.O. 964.—In pursuance of sub-rule (4) of rule 10 of the Official Languages (use for the official purposes of the Union) Rules, 1976, the Central Government hereby notifies 'Vayudoot' Headquarters (under the administrative control of the Ministry of Civil Aviation), the staff of which have acquired the working knowledge of Hindi.

[No. E-11011/4/85-Hindi]
DEV SWAROOP, Director

शहरी विकास मंत्रालय

(संपदा निदेशालय)

नई दिल्ली, 24 मार्च, 1987

का. आ 965.—राष्ट्रपति, अनुसूचक नियमों के नियम 45 के उपबंधों के अनुसरण में, निदेश देते हैं कि सरकारी निवास स्थान आर्बंटन (दिल्ली में साधारण पूल) नियम, 1963, (जिन्हें इसमें इसके पश्चात् "उक्त नियम" कहा गया है) निम्नलिखित उपबंधों के अधीन रहते हुए हैदराबाद में सरकारी निवास स्थान के आर्बंटन के लिए अन्य बातों के साथ-साथ लागू होंगे, अर्थात् :—

उक्त नियमों में,—

1. "दिल्ली" शब्द जहां जहां वह आता है के स्थान पर "हैदराबाद" शब्द रखा जाएगा।

2. प्रभाग 26-ख शीर्षक के नीचे पहले पैरा में "या दिल्ली प्रशासन" शब्दों का लोप किया जाएगा।

3. (1) अनु. नि. 317-ख-1(1) और (2) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :— "अनु. नि. 317-ख-1(1) :—

इस प्रभाग के नियमों का नाम सरकारी निवास स्थान आर्बंटन (हैदराबाद में साधारण पूल) नियम, 1987 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।"

4. अनु. नि. 317-ख-2 में,—

(क) खंड (ग) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

(ग) "हैदराबाद" से हैदराबाद और निकंदराबाद नगर निगम की सीमाओं के भीतर के क्षेत्र और उक्त शहरों के नगरीय एकत्रीकरण के भीतर के क्षेत्र भी अभिप्रेत हैं;"

(ख) खंड (ड) में, "दिल्ली प्रशासन से भिन्न" शब्दों का लोप किया जाएगा।

5. अनु. नि. 317-ख-8 के उपनियम (1) के खंड (ii) में "या दिल्ली प्रशासन" शब्दों का लोप किया जाएगा।

6. अनु. नि. 317-ख-19 में,

(क) "यथास्थिति, नई दिल्ली नगर पालिका समिति या दिल्ली नगर निगम" शब्दों का लोप किया जाएगा।

(ख) "निदेशालय" शब्द के स्थान पर "उपनिदेशक" शब्द रखा जाएगा।

7. अनु. नि. 317-ख-23 के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

"अनु. नि. 317-ख-23—इन नियमों के जारी किए जाने के पहले किए गए आर्बंटन का बना रहना—किसी अधिकारी को निवास स्थान का कोई ऐसा विधिमाल्य आर्बंटन, जो इन नियमों के प्रारम्भ के ठीक पूर्व अस्तित्व में हो, इन नियमों के अधीन सम्पत्ति रूप से किया गया आर्बंटन समझा जाएगा और इन नियमों के सभी पूर्ववर्ती उपबंधों उस आर्बंटन और उस अधिकारी के संबंध में तदनुसार लागू होंगे।"

8. अनु. नि. 317-ब-26 के पश्चात् अन्त में निम्नलिखित अन्त स्थापित किया जाएगा, अर्थात् :—

“नियमों का प्रत्यागोजन : अनु. नि. 317-ब-27 :—

संपदा निदेशक, लिखित रूप में, साधारण या विशेष आदेश द्वारा, ऐसी शर्तों के, यदि कोई हों, के अधीन रखें हुए जो आदेश में विनिश्चित की जाएं, इन नियमों के अधीन उसके द्वारा प्रयोग की जाने वाली कोई शक्ति, अधीक्षण इंजीनियर/कार्यपालक इंजीनियर/सहायक कार्यपालक इंजीनियर/सहायक इंजीनियर, केन्द्रीय लोक निर्माण विभाग, हैदराबाद या संपदा अधिक/सहायक संपदा प्रबंधक, हैदराबाद द्वारा भी प्रयोग की जाएगी।

[फा. सं. 12033(1)/85-नोति-II]

वी.एस. रामन, संपदा उप निदेशक (सीन)

MINISTRY OF URBAN DEVELOPMENT

(Directorate of Estates)

New Delhi, the 24th March, 1987

S.O. 965.—In pursuance of the provisions of rule 45 of the Fundamental Rules, the President hereby directs that the allotment of Government Residences (General Pool in Delhi) Rules, 1963, (hereinafter referred to as the ‘said rules’) shall apply mutatis-mutandis to the allotment of Government Residences in Hyderabad, subject to the following modification, namely :—

In the said Rules,—

1. for the word “Delhi” wherever it occurs, the word “Hyderabad” shall be substituted.

2. In the first paragraph, below the heading Division XXXVI-B, the words “or the Delhi Administration” shall be omitted.

3. (1) for SR-317-B-1(1) and (2), the following shall be substituted, namely :—

“SR-317-B-1(1) :—The rules in this Division may be called the Allotment of Government Residences (General Pool in Hyderabad) Rules, 1987.

(2) They shall come into force on the date of their publication in the Official Gazette.”

4. In SR-317-B-2 :—

(a) for clause (c) the following shall be substituted, namely :—

“(c) ‘Hyderabad’ means the areas within the limits of the Municipal Corporation of Hyderabad and Secunderabad and also the areas lying within the Urban Agglomeration of the said cities”.

(b) in clause (n) the words “other than Delhi Administration” shall be omitted.

5. In S.R. 317-B-8, in clause (ii) of sub-rule (1), the words “or the Delhi Administration” shall be omitted.

6. In SR-317-B-19,—

(a) the words “and the New Delhi Municipal Committee or the Municipal Corporation of Delhi as the case may be” shall be omitted.

(b) for the words “Directorate,” the words “Assistant Director” shall be substituted.

7. For SR-317-B-23, the following shall be substituted, namely :

“SR-317-B-23-Continuance of Allotment made Prior to the issue of these rules.—Any valid allotment of a residence to an officer which is subsisting immediately before the commencement of these rules, shall be deemed to be an allotment duly made under these rules and all the preceding provisions of these rules shall apply in relation to that allotment and that officer accordingly”.

8. After SR-317-B-26, the following shall be inserted at the end, namely :—

“Delegation of powers :—SR-317-B-27 :—The Director of Estates may, by general or special order in writing, direct that subject to such conditions, if any, as may be specified in the order, any power exercisable by him under these rules shall be exercisable also by the Superintending Engineer/Executive Engineer/Assistant Executive Engineer/Assistant Engineer, Central Public Work Department, Hyderabad, or Estate Manager/Assistant Estate Manager, Hyderabad.

[F. No. 12033(1)/85-Pol.II]

V. S. RAMAN, Dy. Director of Estates(P)

राष्ट्र एवं नागरिक पूर्ति मंत्रालय

(भागरिक पूर्ति विभाग)

भारतीय मानक संस्था

नई दिल्ली, 25 मार्च, 1987

का० प्रा० 966 — भारतीय मानक संस्था (प्रमाणन मुहर) विनियम, 1955 के नियम 4 के उपनियम (1) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि जो मानक मुहर, उसके डिजाइन, शाब्दिक विवरण तथा संबंधित भारतीय मानक के शीर्षक सहित नीचे अनुसूची में दिया गया है, वह निर्धारित कर दी गई है। यह मानक मुहर भारतीय मानक संस्था (प्रमाणन मुहर) अधिनियम 1952 और इसके अधीन बने नियमों तथा विनियमों के निमित्त दिनांक 1984-02-01 से लागू होगी।

अनुसूची

कम मानक मुहर का डिजाइन उत्पाद/उत्पाद की श्रेणी संबंधित भारतीय मानक की संख्या एवं शीर्षक मानक मुहर के डिजाइन शाब्दिक विवरण संख्या

1 2 3 4 5



सिरेमिक बाटर फिल्टर कैडल

IS : 7402 (भाग 2) — 1975 सिरेमिक बाटर फिल्टरों की विशिष्टि : भाग 2 फिल्टर कैडल

“ISI” अक्षरों वाला भारतीय मानक संस्था का मोनोग्राम, जो स्तंभ (2) में दिखाई गई शैली और परस्पर संबंधित अनुपात में बनाया गया हो, डिजाइन में निर्देश के अनुसार मोनोग्राम के उपर संबंधित भारतीय मानक की संख्या अंकित हो।

[सं. सी एम डी/13 : 9]

MINISTRY OF FOOD AND CIVIL SUPPLIES

(Department of Civil Supplies)


INDIAN STANDARDS INSTITUTION

New Delhi, the 25th March, 1987

S.O. 966:—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, the Indian Standards Institution, hereby, notifies that the Standard Mark, design of which together with the verbal description of the design and the title of the relevant Indian Standard is given in the Schedule hereto annexed, has been specified.

This Standard Mark for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the Rules and Regulations framed thereunder, shall come into force with effect from 1984-02-01:

SCHEDULE

Sl. No.	Design of the Standard Mark	Product/Class of Product	No. and Title of the Relevant Indian Standard	Verbal description of the design of the Standard Mark
(1)	(2)	(3)	(4)	(5)
		Ceramic water filter candles	IS : 7402 (Part II)—1975 Specification for ceramic water filters: Part II Filter candles	The monogram of the Indian Standards Institution, consisting of letters 'ISI' drawn in the exact style and relative proportion as indicated in Col.(2): the number of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.

[No. C.M.D./13 : 9]

का. भा. 967—भारतीय मानक संस्था (प्रमाणन मुहर) विनियम, 1955 के नियम 7 के उपनियम (3) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि मिरेमिक वाटर फिल्टर कैंडलों के लिए प्रति इकाई मुहरांकन शुल्क निर्धारित कर दिया गया है जिसका विवरण निम्नलिखित अनुसूची में दिया गया है। यह शुल्क दिनांक 1984-02-01 से लागू होगा:

अनुसूची

क्रमांक	उत्पाद/उत्पाद की श्रेणी	संबंधित भारतीय मानक की सं. एवं शीर्षक	इकाई	मुहरांकन शुल्क प्रति इकाई
1	2	3	4	5
1	मिरेमिक वाटर फिल्टर कैंडल	IS : 7402 (भाग 2)—1975 मिरेमिक वाटर फिल्टरों की विनिर्दिष्ट: भाग 2 फिल्टर कैंडलें	एक कैंडल	(i) 10 पैसे प्रति इकाई पहली 100000 इकाइयों के लिए; और (ii) 5 पैसे प्रति इकाई अगली 100001वीं और इससे अधिक इकाइयों के लिए।

[सं. बी एम जी/13 : 10]

S.O. 967 :—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution, hereby, notifies that the marking fee per unit for Ceramic water filter candles detail, of which are given in the Schedule hereto annexed, has been determined and the fee shall come into force with effect from 1984-02-01

SCHEDULE

Sl. No.	Product/Class of Product	No. and Title of Relevant Indian Standard	Unit	Marking fee per unit
(1)	(2)	(3)	(4)	(5)
1.	Ceramic water filter candles	IS : 7402 (Part II)—1975 Specification for ceramic water filters: Part II Filter candles	One Candle	(i) 10 Paise for unit for the first 100000 units, and (ii) 5 Paise per unit for the next 100001st unit and above.

[No. CMD/13 : 10]

का. भा. 968—समय समय पर संशोधित भारतीय मानक संस्था (प्रमाणन चिह्न) विनियम, 1955 के विनियम 5 के उपविनियम (1) के अनुसार भारतीय मानक संस्था द्वारा अधिसूचित किया जाता है कि जिस भारतीय मानक के न्योरे नीचे अनुसूची में दिए गए हैं, वह रद्द कर दिया गया है और वापस ले लिया गया है:

अनुसूची			
क्रम संख्या	रह भारतीय मानक की संख्या और शीर्षक	उस राजपत्र अधिसूचना की एस. ओ. संख्या और तिथि जिसमें भारतीय मानक की स्थापना अधिसूचित की गई	विवरण
1	2	3	4
1.	IS : 317-1970 स्क्वल हाइड्रोलिक ब्रेड फ्लड, मध्यम कार्य की विशिष्टि (दूसरा पुनरीक्षण)	एस. ओ. 1555 दिनांक 1972-04-25, भारत के राजपत्र भाग 2 खंड 3, उपखंड (ii) में दिनांक 1972-06-24 को प्रकाशित	मोटर वाहनों की ज्यादा सुरक्षा सुनिश्चित करने के लिए और IS : 8654-1977 के अनुसार भारी कार्य के स्क्वल ब्रेड फ्लड के उपयोग को बढ़ाने के लिए IS : 317-1970 वापस लेने का निर्णय लिया गया है।
[संख्या सी एम डी/13 : 7] बी. एन. सिंह, अपर महानिदेशक			

S.O.968:--In pursuance of sub-regulation (1) of Regulation 5 of the Indian Standards Institution (Certification Marks) Regulations, 1955 as amended from time to time, it is, hereby, notified that the Indian Standard, particulars of which is mentioned in the Schedule give hereafter, has been cancelled and stands withdrawn:

SCHEDULE

Sl. No. & Title of the Indian Standard Cancelled	S.O. No. & Date of the Gazette Notification in which Establishment of the Indian Standard was Notified	Remarks
(1)	(2)	(3)
1. IS : 317-1970 Specification for automotive hydraulic brake fluid, moderate duty (second revision)	S.O. 1555 dated 1972-04-25 Published in the Gazette of India, Part-II, Section-3, sub-section (ii) date 1972-06-24	In order to ensure greater safety of motor vehicles and promote the use of heavy duty hydraulic brake fluid as per IS : 8654-1977, it has been decided to withdraw IS : 317-1970

[No. CMD/13 : 7]
B. N. SINGH, Addl. Director General

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 31 मार्च, 1987

का. आ. 969.—केन्द्रीय सरकार, भारतीय प्रायुर्विज्ञान परिषद अधिनियम, 1956 (1956 का 102) की धारा 13 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारतीय प्रायुर्विज्ञान परिषद से परामर्श करने के पश्चात् उक्त अधिनियम की तीसरी अनुसूची के भाग 2 में निम्नलिखित और संशोधन करती है, अर्थात्:—

तीसरी अनुसूची के उक्त भाग में, “डिप्लोमा इन मेडिसिन एण्ड सर्जरी” सेवकों हाई इन्स्टीच्यूट आफ मेडिसिन की मेडिसिन संकाय, सोफिया, बुल्गारिया के पश्चात् निम्नलिखित अस्त:स्थापित किया जाएगा, अर्थात्:—

“चिकित्सक” प्रायुर्विज्ञान अकादमी, सोफिया द्वारा प्रदान की गई—

- (1) उच्चतर संस्थान शिक्षा, सोफिया
- (2) उच्चतर प्रायुर्विज्ञान संस्थान, प्लोव्दि, और
- (3) उच्चतर प्रायुर्विज्ञान संस्थान, वर्ना।

यह अर्हता मान्यताप्राप्त अर्हता तभी होगी जब वह 31 दिसम्बर, 1992 को या उससे पूर्व प्रदान की गई हो।

[संख्या यू. 12020/5/87-एम. ई. (पी.)]

भार. श्रीनिवासन, अपर सचिव

MINISTRY OF HEALTH & FAMILY WELFARE

(Department of Health)

New Delhi, the 31st March, 1987

S.O. 969.—In exercise of the powers conferred by sub-section (4) of section 13 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government after consultation with the Medical Council of India, hereby directs that the medical qualification ‘Physician’ Medical Academy, Sofia, granted by the following institutions in Bulgaria shall be a recognised medical qualification for the purposes of the said Act:—

1. Higher Institute Education, Sofia.
2. Higher Medical Institute, Plovdiv.
3. Higher Medical Institute, Varna.

[No. U-12020/5/87-ME(P)]
R. SRINIVASAN, Under Secy.

संसार मंत्रालय

(दूरसंचार विभाग)

नई दिल्ली, 31 मार्च, 1987

का. आ. 970.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1980 द्वारा लागू किए गए भारतीय तार नियम 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार महानिदेशक, दूरसंचार विभाग ने पारसिबनूर टेलीफोन केन्द्र, तमिलनाडु संकिल, में दिनांक 15-4-1987 में प्रमाणित वर प्रणाली लागू करने का निश्चय किया है।

[संख्या 5-3/87-पी एच की]

MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

New Delhi, the 31st March, 1987

S.O. 970.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Department of Telecommunications, hereby specifies 15-4-1987 as the date on which the Measured Rate System will be introduced in Parthibanur Telephone Exchange, Madurai Telecom. Region, Tamilnadu.

[No. 5-3/87-PHB]

का. प्रा. 971.—स्थायी आदेश संख्या 627, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार महानिदेशक, दूरसंचार विभाग ने चिलामटूर, कोडिकोण्डा, नल्लमडा, कोण्डकामरला, रौडाम, नल्लारु, मण्डलपट्टनम, रोटारिपुरम, बुक्कपट्टनम तथा बोदिमोटा टेलीफोन केंद्र, आन्ध्र प्रदेश सर्किल, में दिनांक 16-4-1987 से प्रमाणित दर प्रणाली लागू करने का निर्णय किया है।

[संख्या 5-8/87-पी एच बी]

S.O. 971.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Department of Telecommunications, hereby specifies 16-4-1987 as the date on which the Measured Rate System will be introduced in Chilamattur, Kodikonda, Nallamada, Kondakamrila, Roddam, Nalluru, Mandalahalli, Rotarypuram, Bukkapattanam and Dadithota Telephone Exchanges in Andhra Pradesh Telecom. Circle.

[No. 5-8/87-PHB]

का. प्रा. 972.—स्थायी आदेश संख्या 637, दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियम, 1951 के नियम 434 के खंड III के पैरा (क) के अनुसार महानिदेशक, दूरसंचार विभाग ने चेयूर टेलीफोन केंद्र, तमिलनाडु सर्किल, में दिनांक 16-4-1987 से प्रमाणित दर प्रणाली लागू करने का निर्णय किया है।

[संख्या 5-1/87-पी एच बी]

पी. आर. काररा, सहायक महानिदेशक (पी. एच. बी.)

S.O. 972.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S.O. No. 627 dated 8th March, 1960, the Director General, Department of Telecommunications, hereby specifies 16-4-1987 as the date on which the Measured Rate System will be introduced in Cheyur Telephone Exchange, Tamil Nadu Telecom. Circle.

[No. 5-1/87-PHB]

P. R. KARRA, Asstt. Director General (PHB)

विज्ञान और प्रौद्योगिकी मंत्रालय

(विज्ञान और प्रौद्योगिकी विभाग)

नई दिल्ली, 30 मार्च, 1987

का० प्रा० 973.—सामान्य जनता के सूचनायें अधिसूचित किया जाता है कि श्री चित्रातिरुनल इन्स्टीट्यूट फार मेडीकल साइंसेज एण्ड टेक्नोलॉजी, त्रिवेन्द्रम निम्नलिखित उपाधियाँ और पोस्ट डाक्टोरल प्रमाण-पत्र प्रदान करने के लिए पाठ्यक्रम आयोजित कर रहा है:—

(क) चिकित्सा उपाधि और पोस्ट डाक्टोरल प्रमाण-पत्र

1. डी. एम. रूग्णरोग विज्ञान और तंत्रिका विज्ञान

2. एम. सी. एच. हृदय वाहिका और चोरेटिक शल्यचिकित्सा, तंत्रिकाशास्त्र चिकित्सा

3. पोस्ट डाक्टोरल : हृदय वाहिका और तंत्रिकाशास्त्र चिकित्सीय प्रमाण-पत्र निर्यवेतना ; और

हृदयवाहिका तथा तंत्रिका रेडियोलोजी

4. पी. एच. डी. : जैवरसायन, सूक्ष्मजैविकी, रोगविज्ञान

नोट: ये सभी उपाधियाँ ऐसे लोगों को दी गयीं चिकित्सा उपाधियाँ मानी जाती हैं जिनके पास भारतीय प्रायुर्विज्ञान परिषद अधिनियम, 1956 (1956 का 102) अर्थात् मान्यता प्राप्त चिकित्सा अर्हताएं हैं।

(ख) गैर-चिकित्सा उपाधियाँ :

1. पी. एच. डी.—जैव रसायन, सूक्ष्म जैविकी, रोग विज्ञानी, जैव चिकित्सा विज्ञान, जैव चिकित्सा इंजीनियर और जैव चिकित्सा प्रौद्योगिकी।

2. सामान्य जनता के सूचनायें यह भी अधिसूचित किया जाता है कि श्री चित्रातिरुनल इन्स्टीट्यूट फार मेडीकल साइंसेज एण्ड टेक्नोलॉजी त्रिवेन्द्रम अधिनियम, 1980 (1980 का 52) की धारा 24 के अनुसार इस संस्थान द्वारा प्रदत्त उक्त पैरा 1 (क) में उल्लिखित चिकित्सा उपाधियाँ और डिप्लोमा भारतीय चिकित्सा परिषद अधिनियम, 1956 (1956 का 102) के प्रयोजनार्थ मेडीकल अर्हताएं मानी जायेंगी और इस अधिनियम की प्रथम अनुसूची में शामिल समझी जायेंगी।

[स. ए. पी./एस टी/002/86]

का. आर. एन. गुप्ता, उप सचिव

MINISTRY OF SCIENCE AND TECHNOLOGY

(Department of Science & Technology)

New Delhi, the 30th March, 1987

S.O. 973.—It is hereby notified for information of the general public that the Sree Chitra Tirunal Institute for Medical Sciences & Technology, Trivandrum has been conducting courses leading to the award of the following Degrees and Post Doctoral Certificates:—

(a) Medical Degrees & Post-doctoral Certificates :

1. DM : Cardiology and Neurology.

2. M.Ch. : Cardiovascular & Thoracic Surgery, Neurosurgery.

3. Post-Doctoral : Cardiovascular & Neurosurgical Certificate Anaesthesia ; and Cardiovascular & Neuro-Radiology;

4. Ph.D : Biochemistry, Microbiology, Pathology.

Note : All these degrees are treated as Medical Degrees awarded to the persons holding recognised medical qualifications under the Indian Medical Council Act, 1956 (102 of 1956).

(b) Non-Medical Degrees :

1. Ph.D. : Biochemistry, Microbiology & Pathology; Biomedical Sciences; Biomedical Engineering; and Biomedical Technology.

2. It is also notified for general information that in accordance with section 24 of the Sree Chitra Tirunal Instt. for Medical Sciences & Technology, Trivandrum Act, 1980 (52 of 1980) the Medical Degrees and Diplomas granted by the said Institute as listed in para 1(a) above shall be recognised medical qualifications for purpose of the Indian Medical Council Act, 1956 (102 of 1956) and shall be deemed to be included in the First Schedule to that Act.

[No. SP/ST/002/86]

DR. R. N. GUPTA, Dy. Secy.

औद्योगिक विकास विभाग

नई दिल्ली, 30 मार्च, 1987

प्रादेश

का.घा. 974.—राष्ट्रपति, केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम, 1965 के नियम 9 के उप नियम (2), नियम 12 के उपनियम (2) के खंड (ख) और नियम 24 के उपनियम (1) द्वारा प्रबन्त शक्तियों का प्रयोग करते हुए, निम्नलिखित निदेश देते हैं :

- (1) इस प्रादेश की अनुसूची के भाग 1 के स्तम्भ 1 में विनिर्दिष्ट तकनीकी विकास महानिदेशालय में साधारण केन्द्रीय सेवा

समूह 'ख' के पदों की बाबत स्तम्भ 2 में विनिर्दिष्ट प्राधिकारी नियुक्ति प्राधिकारी होगा और स्तम्भ 3 में विनिर्दिष्ट प्राधिकारी उसके स्तम्भ (4) में विनिर्दिष्ट शास्तियों के मामले के संबंध में अनुशासनिक प्राधिकारी होगा;

- (2) उस अनुसूची के भाग 2 और भाग 3 के स्तम्भ (1) में विनिर्दिष्ट तकनीकी विकास महानिदेशालय में साधारण केन्द्रीय सेवा, समूह 'ग' और साधारण केन्द्रीय सेवा समूह 'घ' के पदों की बाबत स्तम्भ 2 में विनिर्दिष्ट प्राधिकारी नियुक्ति प्राधिकारी होगा और स्तम्भ (3) और (5) में विनिर्दिष्ट प्राधिकारी उसके स्तम्भ (4) में विनिर्दिष्ट शास्तियों के संबंध में, क्रमशः अनुशासनिक प्राधिकारी और अपील प्राधिकारी होंगे।

अनुसूची

भाग 1 साधारण केन्द्रीय सेवा, समूह 'ख'

विवरण	नियुक्ति प्राधिकारी	शास्तियां अधिरोपित करने के लिए सक्षम प्राधिकारी	शास्तियां जो वह अधिरोपित कर सकेगा (नियम 11 में मद संख्या क के निर्देश से)
1	2	3	4
पुनरीक्षण के पूर्व वेतन मानों में 800/- रुपए या अधिक के अधिकतम वेतनमान वाले सभी पद या पुनरीक्षित वेतनमान में 2900/- रुपए अथवा सभी पद	सचिव (तकनीकी विकास और तकनीकी विकास महानिदेशक)	सचिव (तकनीकी विकास) और तकनीकी विकास महानिदेशक	सभी
	सचिव (तकनीकी विकास) तकनीकी विकास महानिदेशक	सचिव (तकनीकी विकास) और तकनीकी विकास महानिदेशक निदेशक (प्रशासन) तकनीकी विकास महानिदेशालय	(i) से (iv)

भाग 2, साधारण केन्द्रीय सेवा समूह "ग"

पद का विवरण	नियुक्ति प्राधिकारी	शास्तियां अधिरोपित करने के लिए सक्षम प्राधिकारी	शास्तियां जो वह अधिरोपित कर सकेगा (नियम 11 में पद संख्याक के निर्देश से)	अपील प्राधिकारी
1	2	3	4	5
पुनरीक्षण के पूर्व वेतनमानों में 700/- रुपए या अधिक के अधिकतम वेतनमान वाले सभी पद या पुनरीक्षित वेतनमान में 2300 रुपए	सचिव (तकनीकी विकास विभाग) और तकनीकी विकास महानिदेशक	(i) सचिव (तकनीकी विकास) और तकनीकी विकास महानिदेशालय (ii) निदेशक (प्रशासन) तकनीकी विकास महानिदेशालय	सभी (i) से (ii)	अध्यक्ष सचिव (तकनीकी विकास) और तकनीकी विकास महानिदेशक
अथवा सभी पद	निदेशक (प्रशासन) तकनीकी विकास महानिदेशालय	निदेशक (प्रशासन) तकनीकी विकास महानिदेशालय	सभी	सचिव (तकनीकी विकास) और तकनीकी विकास महानिदेशक

भाग 3, साधारण केन्द्रीय सेवा समूह "घ"

सभी पद	निदेशक (प्रशासन) तकनीकी विकास महानिदेशक	निदेशक (प्रशासन) तकनीकी विकास महानिदेशालय	सभी	सचिव (तकनीकी विकास) और तकनीकी विकास महानिदेशक
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[फा. सं. 3(15)/86-सतर्कता]

गायत्री राम चन्द्रन, निदेशक व मुख्य सतर्कता अधिकारी

DEPARTMENT OF INDUSTRIAL DEVELOPMENT

New Delhi, the 30th March, 1987

ORDER

S.O. 974.—In exercise of the powers conferred by sub-rule (2) of rule 9, clause (b) of sub-rule (2) of rule 12 and sub-rule (1) of rule 24 of the Central Civil Services (Classification Control and Appeal) Rules, 1965, the President hereby directs that :—

- (1) In respect of posts of Director General of Technical Development in the General Central Service, Group B specified in column (1) of Part I of the Schedule to this order, the authority specified in column (2) shall be the appointing authority and

the authority specified in column (3) shall be the disciplinary authority in regard to penalties specified in column (4) thereof.

- (2) In respect of posts of Directorate General of Technical Development in the General Central Service Group C and the General Central Service Group D specified in column (1) of Part II and Part III of the said Schedule, the authorities specified in column (2) shall be the appointing authority and the authorities specified in columns (3) and (5) shall be the disciplinary and the appellate authority respectively in regard to the penalties specified in column (4) thereof.

SCHEDULE

PART—I GENERAL CENTRAL SERVICE GROUP B

Description	Appointing Authority	Authority Competent to Impose penalties	Penalties which it may impose (with reference to item number in Rule 11)
(1)	(2)	(3)	(4)
All posts carrying a pay-scale maximum of which exceeds Rs. 900/- in the pre-revised pay scales or Rs. 2900/- in the revised scale	Secretary (Technical Development) and Director General of Technical Development	Secretary (Technical Development) and Director General of Technical Development	All
All other posts.	Secretary (Technical Development) Director General of Technical Development	Secretary (Technical Development) and Director General of Technical Development Director (Administration) Directorate General of Technical Development	All (i) to (iv)

PART—II GENERAL CENTRAL SERVICE GROUP "C"

Description of the post	Appointing Authority	Authority Competent to Impose Penalties	Penalties which it may impose (with reference to item number in Rule 11)	Appellate Authority
(1)	(2)	(3)	(4)	(5)
All posts carrying a maximum pay of Rs. 700/- or more in the pre-revised pay scales or Rs. 2300/- in the revised scale.	Secretary (Technical Development) and Director General of Technical Development	(i) Secretary (Technical Development) and Director General of Technical Development (ii) Director (Administration) Directorate General of Technical Development	All (i) to (iv)	President Secretary (Technical Development) and Director General of Technical Development
All other posts	Director (Administration) Directorate General of Technical Development	Director (Administration) Directorate General of Technical Development	All	Secretary (Technical Development) and Director General of Technical Development

PART—III GENERAL CENTRAL SERVICE GROUP 'D'

All Posts	Director (Administration) Directorate General of Technical Development	Director (Administration) Directorate General of Technical Development	All	Secretary (Technical Development) and Director General of Technical Development.
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[File No. 3(15)/86—Vig]

GAYATHRI RAMACHANDRAN, Director and Chief Vigilance Officer

श्रम मंत्रालय

नई दिल्ली, 24 मार्च, 1987

का. भा. 975.—मैसर्स यूनिवर्सल रेडिएटर्स लिमिटेड, पोस्ट बॉक्स नं. 7001, 38 मेट्टुबलयम रोड, कोडम्बातूर-641043 (टी. एन. 3131), (जिसे हमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) जिसे इसमें हमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक् अभिदाय या प्रीमियम का सन्दाय किए बिना ही भारतीय जीवन बीमा निगम की जीवन बीमा स्कीम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में जो फायदा उठा रहे हैं वे ऐसे कर्मचारियों को उन फायदों से अधिक अनुकूल हैं जो उन्हें कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें हमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन अनुभोग्य है।

धन: केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. भा. 916 तारीख 5-3-1984 के अनुसूचन में और इससे उपावद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए उक्त स्थापन को, 17-3-1987 से तीन वर्ष की अवधि के लिए जिसमें 16-3-1990 भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजन प्रादेशिक भविष्य निधि आयुक्त तामिल नाडु की ऐसी विवरणियां भेजेगा और ऐसे लेखा रखा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निरिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर सन्दाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खण्ड (क) के अधीन समय-समय पर निरिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का सन्दाय, लेखाओं का अन्तरण, निरीक्षण प्रभारों का सन्दाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य भावों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसको वाहन आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को सन्दाय करेगा।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाए जाते हैं तो, नियोजक उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों से समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा

जिस से कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुभोग्य हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन गन्देय रकम उग्र रकम से कम है जो कर्मचारी को उस दशा में सन्देश होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नामनिर्देशितों को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का सन्दाय करेगा।

8. सामूहिक स्कीम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त तामिल नाडु के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन में कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो यहां, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उक्त सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है, अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक भारतीय जीवन बीमा निगम द्वारा नियत तारीख के भीतर प्रीमियम का सन्दाय करने में असफल रहता है और प्राप्ति को व्यवधान डाले दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के सन्दाय में किए गए किसी व्यतिक्रम की दशा में, उन मृत सदस्यों के नामनिर्देशितों या विधिक वारिसों को जो यदि यह छूट न हो गई होता तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के सन्दाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन जाने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा निगम, बीमाकृत राशि के हकदार नामनिर्देशितों/विधिक वारिसों को उस राशि का सन्दाय तत्परता से और प्रत्येक दशा में दूर प्रकार से पूर्ण दावे की प्राप्ति के एक मास के भीतर मुनिश्चित करेगा।

[संख्या एस-35014/26/84—पी. एफ. 2/एस. एस.-2]

MINISTRY OF LABOUR

New Delhi, the 24th March, 1987

S.O. 975.—Whereas Messrs Universal Radiators Limited, Post Box No. 7001, 38 Mettupalayam Road, Coimbatore-641043 (TN/3131) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act).

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution of payment of premium, in enjoyment of benefits under the Group Insurance Schemes of the Life Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of Section 17 of the said Act and in conti-

nuation of the notification of the Government of India in the Ministry of Labour, S.O. 916 dated the 5-3-1984 and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions of the said scheme for a further period of three years with effect from 17-3-1987 upto and inclusive of the 16-3-1990.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Tamil Nadu and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishments, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Tamil Nadu and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of sum assured to the nominee or the Legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/26/84-PF-II (SS-II)]

का. भा. 976 —मैसर्स एन. जी. ई. एफ. लि., बैंक आफ मद्रास बिल्डिंग, पांचवीं मंजिल, 16, पालियामेट स्ट्रीट, तई विल्ली (जी. एन. 4519), (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है ;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक् अभिधाय या प्रीमियम का सन्धाय किए बिना ही, भारतीय जीवन बीमा निगम की जीवन बीमा स्कीम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदा उठा रहे हैं वे ऐसे कर्मचारियों को उन फायदों से अधिक अनुकूल हैं जो उन्हें कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन अनुसूच्य हैं ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. भा. 4675 तारीख 27-11-1973 के अनुसरण में और इससे उपबद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए उक्त स्थापन को, 25-12-1986 से तीन वर्ष की अवधि के लिए जिसमें 23-12-1979 भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रयोजन से छूट देने की है ।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजन प्रादेशिक भविष्य निधि आयुक्त देहली को ऐसी विवरणियाँ भेजना और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएँ प्रदान करेगा जो केन्द्रीय सरकार समय समय पर निश्चित करे ।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर सन्धाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उप-धारा (3क) के खण्ड (क) के अधीन समय-समय पर निश्चित करे ।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके सम्बन्धित लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का सन्धाय लेखाओं का अन्तरण, निरीक्षण प्रभारों का सन्धाय प्राप्ति भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा ।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का

पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम दुरस्त दर्ज करेगा और उसकी बाढ़त आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को सन्दान करेगा।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाए जाते हैं तो, नियोजक उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिस से कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुश्रेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन सन्नेय रकम उस रकम से कम है जो कर्मचारी को उस दशा में सन्नेय होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नामनिर्देशितों को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का सन्दाय करेगा।

8. सामूहिक स्कीम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त देहली के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहां, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है, अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह छूट रह की जा सकती है।

10. यदि किसी कारणवश, नियोजक भारतीय जीवन बीमा निगम द्वारा नियत तारीख के भीतर प्रीमियम का सन्दाय करने में अनफल रहता है, और पालिसी की व्यवगत हो जाने दिया जाता है तो छूट रह की जा सकती है।

11. नियोजक द्वारा प्रीमियम के सन्दाय में किए गए किसी व्यतिक्रम की दशा में, उन मृत सदस्यों के नामनिर्देशितियों या विधिक वारिसों को जो यदि यह छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होने की फायदों के सन्दाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा निगम, बीमाकृत राशि के हकदार नामनिर्देशित/विधिक वारिसों को उस राशि का सन्दाय तत्परता से और प्रत्येक दशा में हर प्रकार से पूर्ण दावे की प्राप्ति के एक मास के भीतर सुनिश्चित करेगा।

[संख्या एस-35014/276/83—पी. एक.-2/एस. एस-2]

S.O. 976.—Whereas Messrs NGES Limited, Bank of Baroda Building 5th Floor, 16 Parliament Street, New Delhi-110001 (DL/4519) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) hereinafter referred to as the said Act).

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution of payment of premium, in enjoyment of benefits under the Group Insurance Schemes of the Life Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible referred under the Employees Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of Section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S.O. 4675 dated the 28-11-1983 and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions or the said Scheme for a further period of three years with effect from 24-12-1986 upto and inclusive of the 23-12-1989.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner Delhi and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishments, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employees, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner Delhi and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of sum assured to the nominee or the legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/276/R3-PF-II (SS-II)]

का. भा. 977.—मैसर्स कृषक भारती को-ऑपरेटिव लि., रेड रोज हाऊस, 49-50, नेहरू प्लेस, नई देहली (डी. एल./5571), (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक् अधिदाय या प्रीमियम का सन्धाय किए बिना ही, भारतीय जीवन बीमा निगम की जीवन बीमा स्कीम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में जो फायदा उठा रहे हैं वे ऐसे कर्मचारियों को उन फायदों से अधिक अनुकूल हैं जो उन्हें कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन अनुभूते हैं।

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. भा. 4040 तारीख 5-10-1983 के अनुसरण में और इससे उपाबद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए उक्त स्थापन को 29-10-1986 से तीन वर्ष की अवधि के लिए जिसमें 28-10-1989 भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजन प्रादेशिक भविष्य निधि आयुक्त देहली को ऐसी विवरणियाँ भेजना और ऐसी लेखा रखना तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर सन्धाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का सन्धाय लेखाओं का अन्तरण, निरीक्षण प्रभारों का सन्धाय आदि भी है, होने वाले सभी व्ययों का बहुर निर्याजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जय कभी उनमें संशोधन किया जाए, तब उन संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का प्रनुवाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का यह उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में, नियोजित किया जाना है तो नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम मुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को सन्धाय करेगा।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाए जाते हैं तो, नियोजक उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिस से कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध

फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुभूते हैं।

7. सामूहिक बीमा स्कीम में किसी बान के होने हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन सन्धाय रकम उन रकम से कम है जो कर्मचारी को उस दशा में सन्धाय होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नामनिर्देशिती को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का सन्धाय करेगा।

8. सामूहिक स्कीम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त देहली के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहाँ किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहाँ, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का सुविशेष अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है, अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक भारतीय जीवन बीमा निगम द्वारा नियत तारीख के भीतर प्रीमियम का सन्धाय करने में अक्षम रहता है, और पालिसी का व्ययगत हो जाने बिना जाना है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के सन्धाय में किए गए किसी व्यक्तिकर की दशा में, उन मृत सदस्यों के नामनिर्देशितियों या विधिक वारिसों को जो यदि यह, छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के सन्धाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा निगम, बीमाकृत राशि के हकदार नामनिर्देशिती/विधिक वारिसों को उस राशि का सन्धाय तत्परता से और प्रत्येक दशा में हर प्रकार से पूर्ण दावे की प्राप्ति के एक मास के भीतर सुनिश्चित करेगा।

[संख्या एस-35014/179/83-पी. एफ. 2/एन. एम. -2]

S.O. 977.—Whereas Messrs Krishak Bharati Cooperative Limited, Red Rose House, 49-50, Nehru Place, New Delhi (DL/5571) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act).

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution of payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of Section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S.O. 4040 dated the 5-10-1983 and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 29-10-1986 upto and inclusive of the 28-10-1989.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Delhi and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishments, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Delhi and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of sum assured to the nominee or the legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

का. प्रा. 978:—मैसर्स—इण्डियन डाईस्टिक इंडस्ट्रीज लि., बोएसर यूनिट, प्लॉट नं. डी-16, एम.आई.जी.सी. तारापुर, बोएसर (पश्चिम रेलवे) तालुका—गानघर, जिला—ठाण-401506 (एम.एच./1492-ए) (जिसमें इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसमें इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक् अभिदाय या प्रीमियम का सन्दाय किए बिना ही, भारतीय जीवन बीमा निगम की जीवन बीमा स्कीम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में जो फायदा उठा रहे हैं वे ऐसे कर्मचारियों को उन फायदों से अधिक अनुकूल हैं जो उन्हें कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन अनुज्ञेय हैं;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के धर्म मंत्रालय की अधिसूचना संख्या का. प्रा. 3110 तारीख 30-7-1983 के अनुसरण में और इसमें उल्लेख अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए उक्त स्थापन को, 27-8-1986 से तीन वर्ष की अवधि के लिए जिसमें 26-8-1989 भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजक प्रादेशिक भविष्य निधि प्राप्त, महाराष्ट्र की ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार समय समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभागों का प्रत्येक भाग की समाप्ति के 15 दिन के भीतर सन्दाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का सन्दाय, लेखाओं का अन्तरण, निरीक्षण प्रभागों का सन्दाय आदि भी हैं, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को सन्दाय करेगा।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिस से कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी को मृत्यु पर इस स्कीम के अधीन सन्देश्य रकम उस रकम से कम है जो कर्मचारी को उस दशा में सन्देश्य होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नामनिर्देशितों को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का सन्देश्य करेगा।

8. सामूहिक स्कीम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त महाराष्ट्रा के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहां, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुक है, अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक भारतीय जीवन बीमा निगम द्वारा नियत तारीख के भीतर प्रीमियम का सन्देश्य करने में असफल रहता है, और पालिसी को व्ययग्न हो जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के सन्देश्य में किए गए किसी व्यतिक्रम की दशा में, उन मृत सदस्यों के नामनिर्देशितों या विधिक वारिसों को जो यदि यह, छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के सन्देश्य का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन जाने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा निगम, बीमाकृत राशि के हकदार नामनिर्देशितों विधिक वारिसों को उस राशि का सन्देश्य तत्परता से और प्रत्येक दशा में हर प्रकार से पूर्ण दावे की प्राप्ति के एक मास के भीतर सुनिश्चित करेगा।

[संख्या एस-35014/140/83-पी.एफ. 2/एम. एस-2]

S.O. 978.—Whereas Messrs Indian Dyestuff Industries Limited, Boisar Unit, Plot No. D-16, MIDC Tarapur Boisar (W. Rly.) Taluk, Palghar, District Thane-401506 (MH/1492-A) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act).

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution of payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of Section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S.O. 3410 dated the 30-7-1983 and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Schedule for a further period of three years with effect from 27-8-1986 upto and inclusive of the 26-8-1989.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund

Commissioner, Maharashtra and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishments, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Maharashtra and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of sum assured to the nominee or the legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

का. घा. 979 :—मैसर्स इण्डियन फार्मर्स फर्टिलाइजर को-ऑपरेटिव लि., 34, नेहरू प्लेस, नई दिल्ली-110019 (डी. एल./2436) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक् अधिदाय या प्रीमियम का सन्वाय किए बिना ही भारतीय जीवन बीमा निगम की जीवन बीमा स्कीम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में जो फायदा उठा रहे हैं वे ऐसे कर्मचारियों को उन फायदों से अधिक अनुकूल है जो उन्हें कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन अनुभूत है;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. घा. 3404 तारीख 30-7-1983 के अनुसरण में और इससे उपबद्ध अनुगूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए उक्त स्थापन को 27-8-1986 से तीन वर्ष की अवधि के लिए जिसमें 26-8-1989 भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजक प्रादेशिक भविष्य निधि आयुक्त देहली को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार समय समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर सन्वाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का सन्वाय लेखाओं का अन्तरण, निरीक्षण प्रभारों का सन्वाय आदि भी है होने वाले सभी व्ययों का बहुत नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक बीमा स्कीम के गवर्नर के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को सन्दाय करेगा।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुभूत हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन सन्दाय रकम उस रकम से कम है जो कर्मचारी को उस दशा में सन्दाय होती जब वह उक्त स्कीम के अधीन

होता तो, नियोजक कर्मचारी के विधिक वारिस/नामनिर्देशितों को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का सन्दाय करेगा।

8. सामूहिक स्कीम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त, देहली के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहां प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है, अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक भारतीय जीवन बीमा निगम द्वारा नियत तारीख के भीतर प्रीमियम का सन्वाय करने में असफल रहता है, और पालिसी को व्ययगत हो जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के सन्दाय में किए गए किसी व्यतिक्रम की दशा में, उन मृत सदस्यों के नामनिर्देशितों या विधिक वारिसों को जो यदि यह, छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के सन्दाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा निगम, बीमाकृत राशि के हकदार नामनिर्देशित/विधिक वारिसों को उस राशि का सन्दाय तत्पश्चात् से और प्रत्येक वर्षा में हर प्रकार से पूर्ण दावे की प्राप्ति के एक मास के भीतर सुनिश्चित करेगा।

[संख्या एस-35014/32/83-पी. एफ. 2/एम.एस-2]

S.O. 979.—Whereas Messrs Indian Farmers Fertilisers Co-operative Limited, 34, Nehru Place, New Delhi 110019 (DL/2436) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act).

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution of payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S.O. 3404 dated the 30-7-1983 and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions or the said Schedule for a further period of three years with effect from 27-8-1986 upto and inclusive of the 26-8-1989.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Delhi and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishments, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Delhi and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of sum assured to the nominee or the legal heirs of the deceased member entitled for it and in any case within one month from the receipt of claim complete in all respects.

[No. S-35014/32/83-PF-II (SS-II)]

का. घा. 980.—सैमर्स सर पदमपत रियर्स सैन्टर, जेके नगर, कोटा-324003 (घार. जे./2313) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रवर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक अभिदाय या प्रीमियम का सन्दाय किए बिना ही, भारतीय जीवन बीमा निगम की जीवन बीमा स्कीम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में जो फायदा उठा रहे है वे ऐसे कर्मचारियों को उन फायदों से अधिक अनुकूल हैं जो उन्हें कर्मचारी निक्षेप सहस्रक बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन अनुकूल है;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.घा. 2016 तारीख 14-4-1983 के अनुसरण में और इससे उपाय्य अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए उक्त स्थापन को, 30-4-1986 से तीन वर्ष की अवधि के लिए जिसमें 29-4-1989 भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजन प्रादेशिक भविष्य निधि आयुक्त, राजस्थान को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रसारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर सन्दाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का सन्दाय लेखाओं का अन्तर्गण, निरीक्षण प्रसारों का सन्दाय आदि भी है, होने वाले सभी व्ययों का बहुत नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की अनुसूची की भाषा में उसकी मुख्य बातों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को सन्दत्त करेगा।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुकूल हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होने हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन सन्दाय रकम उस रकम से कम है जो कर्मचारी को उस दशा में सन्दाय होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिवक वारिस/नामनिर्दिष्टी को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का सन्दाय करेगा।

8. सामूहिक स्कीम के उपबन्धों में कोई भी संशोधन, प्रावेशिक भविष्य निधि आयुक्त राजस्थान के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहाँ किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहाँ, प्रावेशिक भविष्य निधि आयुक्त, छाता अनुमोदन देते से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का सुक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है, अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो य. छूट रद्द की जाती सकती है।

10. यदि किसी कारणवश, नियोजक भारतीय जीवन बीमा निगम द्वारा नियत तारीख के भीतर प्रीमियम का सन्दाय करने में असफल रहता है, और पालिसी को व्यपगत हो जाना दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के सन्दाय में किए गए किसी व्यवहार की दशा में, उन मृत सदस्यों के नामनिर्देशितियों या विधिक वारिसों को जो यदि यह, छूट न हो गई हो तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के सन्दाय का उत्तराधिकार नियोजक पर होगा।

12. इस स्कीम के अधीन प्राप्त बर्तन किसी सदस्य का मृत्यु होने पर भारतीय जीवन बीमा निगम, बीमाकृत राशि के हकदार नामनिर्देशित/विधिक वारिसों को उक्त राशि का सन्दाय तत्परता से और प्रत्येक दशा में हर प्रकार से पूर्ण दायें का प्राप्ति के एक मास के भीतर सुनिश्चित करेगा।

[संख्या एस-35014/57/83-मो.एफ. 2/एस.एम-2]

S.O. 980.—Whereas Messrs Sir Padampat Research Centre Jaykay Nagar, Kota-324003 (RJ/2313) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act).

And, whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of Section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S.O. 2016 dated the 14-4-1983 and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 30-4-1986 upto and inclusive of the 29-4-1989.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Rajasthan and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishments, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Rajasthan and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of sum assured to the nominee or the legal heirs of the deceased member entitled for it and in any case within one month from the receipt for claim complete in all respects.

[No. S-35014/57/83-PF.II(SS-II)]

का. घा. 981:—जैसे-जैसे कृष्णा इंजीनियरिंग कम्पनी प्राइवेट लि., डी-1, मेन एमिसलरी इंडस्ट्रियल एस्टेट, प्रोबो-620014 (टी. एन./8268) (जिसे हममें हमके पश्चात उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे हममें हमके पश्चात उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक अधिदाय या प्रीमियम का सन्दाय किए बिना ही, भारतीय जीवन बीमा निगम की जीवन बीमा स्कीम की सामूहिक बीमा

स्कीम के अधीन जीवन बीमा के रूप में जो फायदा उठा रहे हैं वे ऐसे कर्मचारियों को उन फायदों से अधिक अनुकूल है जो उन्हें कर्मचारी निधि से प्राप्त होना चाहिए। 1976 (जिसमें इसमें इनका पश्चात् उक्त स्कीम कहा गया है) के अधीन अनुज्ञेय है।

अतः, केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. आ. 909 तारीख 5-3-1984 के अनुसार और इसमें उल्लेख अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए उक्त स्थापन का, 17-3-1987 से तीन वर्ष की अवधि के लिए जिसमें 16-3-1990 भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजन प्रादेशिक भविष्य निधि आयुक्त तमिलनाडु को ऐसी विवरणियाँ भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएँ प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निविष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रचारों का प्रत्येक माम की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा-17 की उपधारा 3क के खण्ड क के अधीन समय-समय पर निविष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का प्रस्तुत, निरीक्षण प्रचारों का संवाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा दिया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा जर्नल/कर्मचारियों की बहुसंख्या को आपा में उसकी मुख्य बातों का अनुवाद, स्थान के सूचना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो, नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा नियम की संज्ञा करेगा।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपबन्ध फायदे बढ़ाये जाते हैं तो, नियोजक उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि किये जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेय रकम उस रकम से कम है जो कर्मचारी को उस वक्ता में संदेय होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक धारिता/नाम निर्देशित को प्रतिफल के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन प्रादेशिक भविष्य निधि आयुक्त, तमिलनाडु के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहाँ किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो, वहाँ प्रादेशिक भविष्य निधि आयुक्त अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का व्यक्तिगत अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा नियम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है, अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक भारतीय जीवन बीमा नियम द्वारा नियत तारीख के भीतर प्रीमियम का संवाय करने में असफल रहता है, और पानिशा की व्यवस्था हा जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किए गए किसी व्यतिक्रम की दशा में, उन मूल सदस्यों के नामनिर्देशितियों या विधिक वारिसों को जो यदि यह छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा नियम, बीमाकृत राशि के हकदार नामनिर्देशित/विधिक धारिता का उक्त राशि का संदाय तत्परता से और प्रत्येक दशा में हर प्रकार से पूर्ण बाबों की प्राप्ति के एक मास के भीतर सुनिश्चित करेगा।

[संख्या एस-35014/29/84-पी, एक-2/एस. एस-2]

S.O. 981.—Whereas Messrs Krishna Engineering Company Private Limited, D-1, Bhel Ancillary Industrial Estate, Trichy-620014 (IN/8268) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act).

And, whereas the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution of payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of Section 17 of the said Act and in continuation of the notification of the Government of India in the Ministry of Labour, S.O. 909 dated the 5-3-1984 and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 17-3-1987 upto and inclusive of the 16-3-1990.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Tamil Nadu and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishments, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Tamil Nadu and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where for any reason the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of sum assured to the nominee or the legal heirs of the deceased member entitled for it and in any case within one month from the receipt for claim complete in all respects.

[No. S-35014/29/84-PF.II(SS-IT)]

का. आ. 982 :—मैसर्स-टैकमल कम्पनी लिमिटेड, गणपति पोस्ट, कोईम्बतूर 641006 (टी. एन./77)

(जिसे इसमें इसके पश्चात उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा या है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है ;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक अभिदाय या प्रीमियम का मन्दाय किए बिना ही, भारतीय जीवन बीमा निगम की जीवन बीमा स्कीम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में जो फायदा उठा रहे हैं वे ऐसे कर्मचारियों को उन फायदों से अधिक अनुकूल हैं जो उन्हें कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात उक्त स्कीम कहा गया है) के अधीन अनुज्ञेय हैं ;

अतः, केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. आ. 906 तारीख 5-3-1984

के अनुसरण में और इससे उपाबद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए उक्त स्थापन को 17-3-1987 से तीन वर्ष की अवधि के लिए जिसमें 16-3-1990 भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजक प्रादेशिक भविष्य निधि आयुक्त तामिलनाडु की ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरोक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरोक्षण प्रभावों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर मन्दाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाता, विवरणियों का प्रस्तुत किया जाता, बीमा प्रीमियम का सन्दाय, लेखाओं का अन्तरण, निरोक्षण प्रभावों का मन्दाय आदि भी है, होने वाले सभी व्ययों का बटन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उनकी मुख्य बातों का अनुवाद, स्थापन के मुख्यालय पर प्रदर्शित करेगा।

5. यदि कोई ऐसी कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को मन्दाय करेगा।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन मन्दाय रकम उग रकम से कम है जो कर्मचारी को उस दशा में मन्दाय होती जब वह उक्त स्कीम के अधीन होता तो नियोजक कर्मचारी के विधिवक वारिस/नामनिर्दिष्टिनी को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का सन्दाय करेगा।

8. सामूहिक स्कीम के उपबन्धों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त तामिलनाडु के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहां, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक भारतीय जीवन बीमा निगम द्वारा नियत तारीख के भीतर प्रीमियम का मन्दाय करने में असफल रहता है, और पालिसी को व्यप रत हो जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किए गए किसी व्यक्तिक्रम की दशा में, उन मृत सदस्यों के नामनिर्देशितियों या विधिक वारिसों को जो यदि यद्, छूट न दो गई होना उक्त स्कीम के अंतर्गत होते, बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा निगम, बीमाकृत राशि के हकदार नामनिर्देशित/विधिक वारिसों को उस राशि का संदाय तत्परता से और प्रत्येक दशा में हर प्रकार से पूर्ण दावे की प्राप्ति के एक मास के भीतर सुनिश्चित करेगा।

[संख्या एम-35014/25/84-पी. एफ. 2/एम. एम-2]

S.O. 982.—Whereas Messrs Textool Company Limited, Ganapathy Post, Coimbatore-641006 (IN/77) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act).

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution of payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India which are more favourable to such employees than the benefits admissible under the Employees Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of Section 17 of the said Act and in Continuation of the notification of the Government of India in the Ministry of Labour S.O. 906 dated the 5-3-1984 and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 17-3-1987 upto and inclusive of the 16-3-1990.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Tamil Nadu and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishments, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding any thing contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No. amendment of the provisions of the Group Insurance Scheme, shall be made without the prior approval of the Regional Provident Fund Commissioner, Tamil Nadu and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of sum assured to the nominee or the legal heirs of the deceased member entitled for it and in any case within one month from the receipt for claim complete in all respects.

[No. S-35014/25/84-PF. II(SS-III)]

का.आ. 983—सैमस टेक्स्टोल सीमा प्राचीण बैंक, हैड ऑफिस, पोस्ट गांधी नं. 65, कुड्डलूर-516001 (पन्थप्रदेश) (ए. पी./6075) (जिसे हममें हमके पञ्चा उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इनमें इसके पञ्चा उक्त अधिनियम कहा गया है) की प्रांग 17 की उपप्रांग (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक अधिदाय या प्रीमियम का संदाय किए बिना ही, भारतीय जीवन बीमा निगम की जीवन बीमा स्कीम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में जो फायदा उठा रहे हैं वे ऐसे कर्मचारियों को उन फायदों में अधिक अनुकूल हैं जो उन्हें कर्मचारी निशेष महबूब बीमा स्कीम, 1976 (जिसे हममें हमके पञ्चा उक्त स्कीम कहा गया है) के अधीन अनुजेय हैं ;

अतः, केन्द्रीय सरकार, उक्त अधिनियम की प्रांग 17 की उपप्रांग (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम संवतान की अधिवृत्ता संख्या का. आ. 682 तारीख 15-2-1984 के अनुवर्णन में और हमसे उपावृद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए उक्त स्थापन को, 3-3-1987 से तीन वर्ष की अवधि के लिए जिसमें 2-3-1990 भी सम्मिलित है, उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

- अनुसूची

1. उक्त स्थापन के संबंध में नियोजन प्रादेशिक भविष्य निधि प्रायुक्त आन्ध्र प्रदेश को ऐसी विवरणियां भेजेगा और ऐसी चेका रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार समत-मता पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रसारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खंड (क) के अधीन समय-समय पर निर्दिष्ट करे।

3. सामूहिक बीमा स्कीम के प्रणालन में, जिसके अंतर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय क्षेत्राधिकारों का अंतरण, निरीक्षण प्रसारों का संदाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद, स्थापन के सूचना पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत प्रावश्यक प्रीमियम भारतीय जीवन बीमा निगम को भुगत करेगा।

6. यदि सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपग्रह फायदे बढ़ाये जाने हैं तो, नियोजक उक्त स्कीम के अधीन कर्मचारियों को उपग्रह फायदों में समुचित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपग्रह फायदे उन फायदों में अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुज्ञेय हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेय रकम उस रकम से कम है जो कर्मचारी को उस दशा में संदेय होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नामनिर्देशिनी को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक स्कीम के उपग्रहों में कोई भी संशोधन, प्रादेशिक भविष्य निधि प्रायुक्त आरक्ष प्रदेश के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहां, प्रादेशिक भविष्य निधि प्रायुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का मुक्ति-युक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है, अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक भारतीय जीवन बीमा निगम द्वारा नियत गारंटी के भीतर प्रीमियम का संदाय करने में असफल रहता है, और पालिसी को व्ययगत हो जाने दिया जाता है तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किए गए किसी व्यतिक्रम की दशा में, उन मृत सदस्यों के नामनिर्देशितियों या विधिक वारिसों को जो यदि यह, छूट न दी गई होती तो उक्त स्कीम के अंतर्गत होते, बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर भारतीय जीवन बीमा निगम, बीमाकृत राशि के हकदार नामनिर्देशिनी/विधिक वारिसों को उस राशि का संदाय तत्पश्चात् से और प्रत्येक दशा में हर प्रकार से पूर्ण दावे की प्राप्ति के एक मास के भीतर सुनिश्चित करेगा।

[संख्या एस-35014/12/84-पी. एफ. 2/एस. एस-2]

S.O. 983.—Whereas Messrs Rayala Seema Gramena Bank Head Office, P.N. No. 65 Guddapah-516001-A.P. (A.P/6075) (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act).

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution of payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of Section 17 of the said Act and in Continuation of the notification of the Government of India in the Ministry of Labour, S.O. 682 dated the 15-2-1984 and subject to the conditions specified in the Schedule annexed hereto the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a further period of three years with effect from 3-3-1987 upto and inclusive of the 2-3-1990.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Andhra Pradesh and maintain such accounts and provide such facilities for inspection as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may from time to time, direct under clause (a) of sub-section (3A) of Section 17 of the said Act within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishments, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas, an employees, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding any thing contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Andhra Pradesh and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to express their point of view.

9. Where, for any reason the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already

adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the members covered under the Scheme the Life Insurance Corporation of India shall ensure prompt payment of sum assured to the nominee or the Legal heirs of the deceased member entitled for it and in any case within one month from the receipt for claim complete in all respects.

[No. S-35014/12/84-PF.II(SS-II)]

नई दिल्ली, 25 मार्च, 1987

का. आ. 984:—केन्द्रीय सरकार, कर्मचारी भविष्य निधि स्कीम, 1952 के पैरा 5 के माथ पठित पैरा 4 के उप-पैरा (1) के अनुसरण में भारत सरकार के भूतपूर्व श्रम और पुनर्वासि मंत्रालय के (श्रम विभाग) की अधिसूचना संख्या का. आ. 2789 तारीख 15 जुलाई, 1982 को अधिदान्त करते हुए, पंजाब राज्य के लिए एक क्षेत्रीय समिति का गठन करती है, जिसमें निम्नलिखित व्यक्ति होंगे, अर्थात्:—

अध्यक्ष

1. सचिव, पंजाब सरकार,
श्रम और रोजगार विभाग
चण्डीगढ़

केन्द्रीय सरकार द्वारा नियुक्त

सदस्य

2. भवर सचिव, पंजाब सरकार
राजस्व विभाग, चण्डीगढ़
3. श्रमायुक्त, पंजाब सरकार
चण्डीगढ़
4. श्री इन्दरजीत सिंह पाहवा
प्रबन्ध निदेशक,
एवन साइकिल (प्रा.) लिमिटेड
लुधियाना,
(वाणिज्य का औद्योगिक पैम्बर)
लुधियाना
5. भरदार भजीत सिंह राणा,
मैसर्स नेशनल ब्रॉस इन्डोनियर
फाउन्ड्री,
ई-35 औद्योगिक क्षेत्र,
जालन्धर
6. श्री सी. पी. एस. नरुला
उप-प्रबन्धक (कार्मिक)
एसकोर्ट लि. बहादुरगढ़
पटियाला
7. श्री एच. एन. विश्वास,
अध्यक्ष, भारतीय मजदूर संघ,
पंजाब, सिविल लाइन्स,
जी. टी. रोड, जालन्धर
8. श्री मंगत राम पासला,
महा मंत्री
पंजाब राज्य समिति
(सी. आई. टी. यू.)
आई रत्नसिंह इस्ट बिल्डिंग,
जी. टी. रोड, जालन्धर
9. श्री ओ. पी. कालिया,
अध्यक्ष,
कामगार यूनियन बेस ईथ,
सलवार टाऊन सिप-144218

राज्य सरकार की सिफारिश पर
केन्द्रीय सरकार द्वारा नियुक्त दो
व्यक्ति

राज्य में नियुक्ताओं के संगठनों के
परामर्श से केन्द्रीय सरकार द्वारा
नियुक्त नियुक्ताओं के तीन प्रतिनिधि

राज्य में कर्मचारियों के संगठनों के
परामर्श से केन्द्रीय सरकार द्वारा
नियुक्त कर्मचारियों के तीन
प्रतिनिधि।

10. श्री प्रद्युम्न सिंह,
सचिव, पंजाब राज्य समिति
माल इंडिया ट्रेड यूनियन कांग्रेस
एकता भवन, पुतलीघर
भमुत्सर (पंजाब)
11. श्री बलचन्त राय कपूर
अध्यक्ष, रबियन नेशनल ट्रेड
यूनियन कांग्रेस, पंजाब शाखा
852/9 गेट खजाना, भमुत्सर

केन्द्रीय न्याय बोर्ड का अग्रामकीय
सदस्य जो सामान्यतः पंजाब राज्य
का निवासी हो।

[संख्या बी-20012/3/84-पी. एफ.-2/एस. एस.-2]

New Delhi, the 25th March, 1987

S. O. 934 :—In pursuance of sub-paragraph (1) of paragraph 4 read with paragraph 5 of the Employees Provident Funds Scheme, 1952 and in supersession of the notification of the Government of India in the late Ministry of Labour and Rehabilitation (Department of Labour), No. S. O. 2789, dated the 15th July, 1982, the Central Government hereby sets up a Regional Committee for the State of Punjab consisting of the following persons, namely :—

CHAIRMAN

1. The Secretary to the Government of Punjab, Labour and Employment Department, Chandigarh. Appointed by the Central Government.

MEMBERS

2. Under Secretary to the Government of Punjab, Revenue Department, Chandigarh. Two persons appointed by the Central Government on the recommendation of the State Government.
3. Labour Commissioner, Government of Punjab Chandigarh.
4. Shri Inderjit Singh, Pahwa, Managing Director, Avon Cycle Pvt. Ltd. Ludhiana (Industrial Chamber of Commerce of Ludhiana). Three representatives of employers appointed by the Central Government in consultation with the Organisations of employers in the State.
5. S. Ajit Singh Rana, M/s. National Brass Engg. Foundry, E-35, Industrial Area, Jalandhar.
6. Shri C. P. S. Narula, Deputy General Manager (Personnel) Escorts Ltd. Bhadurgarh, Patiala.

7. Shri H. N. Biswas, President Bhartiya Mazdoor Sangh, Punjab Civil Lines, G.T. Road, Jalandhar.
8. Shri Mangat Ram Pasla, General Secretary Punjab State Committee of CITU, Bhai Ratan Singh Trust Building, G. T. Road, Jalandhar City-144001.
9. Shri O. P. Kalia, President, Workers Union Beas Dam, Jalwara Township-144216.
10. Shri Parduman Singh, Secretary, Punjab State Committee, All India Trade Union Congress, Ekta Bhawan, Putlighar, Amritsar (Punjab).
11. Shri Balwant Rai Kapoor, President, Indian National Trade Union Congress, Punjab Branch, 852/9 Gate Khazana, Amritsar.
- Three representatives of employees appointed by the Central Government in consultation with the organisations of employees in the State.
- Non-official members of the Central Board of Trustees, ordinarily resident in the State of Punjab.

[No. V—20012/3/84-PF. II(SS) II]

नई दिल्ली, 27 मार्च, 1987

का. प्रा. 985.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 अप्रैल, 1987 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4, (धारा 44 और 45) के सिवाय जो पहले ही प्रवृत्त की जा चुकी है, और अध्याय 5 और 6 (धारा 76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध बाह्य प्रदेश राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे अर्थात् :—

“कुल्ला जिने में बापूलापाड़ू राजस्व ग्रामों

के बामापुर बापूलापाड़ू (हनुमान जंमसम) और सेरिनारसनापलेम के राजस्व ग्रामों के अन्तर्गत आने वाले क्षेत्र।

[संख्या एम.-38013/10/87-एस. एस.-1]

New Delhi, the 27th March, 1987

S.O. 985.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st April, 1987 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the

said Act shall come into force in the following areas in the State of Andhra Pradesh, namely :—

“The areas within the revenue Villages of Bommalur, Bapulapadu (Hanuman Junction) and Serinarsanapalem under Bapulapadu revenue mandal in Krishna District.”

[No. S-38013/10/87-SS. II]

का. प्रा. 986.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 अप्रैल, 1987 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध कर्नाटक राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे अर्थात् :—

“जिला बंगलूर के

तालुक उत्तरी बंगलूर के

हुबली यशवन्तपुर के कामाक्षीपालय

सानेगरवनहल्ली के राजस्व ग्रामों

के अन्तर्गत आने वाले क्षेत्र।

[संख्या एस.-38013/9/87-एस. एस.-1]

S.O. 986.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st April, 1987 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Karnataka, namely :—

“The areas within Revenue Village Kamakshipalya Sane-garvanahallj, Hobli Yeshwantpur, Taluka Bangalore North and District Bangalore.”

[No. S-38013/9/87-SS. I]

का. प्रा. 987.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 अप्रैल, 1987 को उस तारीख के रूप में नियत करती है जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध गुजरात राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे अर्थात् :—

“जी. आई. डी. सी. कलौल, जिला मेहसाणा के

अधिपुषित क्षेत्र सहित जिला मेहसाणा के

ग्राम सौंज, तालुक कलौल के राजस्व सीमाओं

के अन्तर्गत आने वाले क्षेत्र।

[संख्या एस.-38013/8/87-एस. एस.-1]

S.O. 987.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st April, 1987 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the

said Act shall come into force on the following areas in the State of Gujarat, namely :—

"Areas comprised within the revenue limits of Village Saij, Taluka Kalol of District Mehsana including notified area of G.I.D.C. Kalol District Mehsana."

[No. S-38013/8/87-SS. I]

का. घा. 988 :—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 31) की धारा 1 की उप-धारा (3) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 अप्रैल, 1987 को उस सार्वजनिक के रूप में नियत करती है जिसका उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध उड़ीसा राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे अर्थात् :—

"टिर्टोल तहसील थाना टिर्टोल

जिला कटक के तौरा, राजस्व ग्राम

के अन्तर्गत आने वाले क्षेत्र ।"

[संख्या एस-38013/11/87-एस. एस.-1]

S.O. 988.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st April, 1987 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Orissa, namely :—

"The areas comprised of the revenue village of 'Nausira' of Tirtol Tehsil, Police Station Tirtol, District Cuttack."

[No. S-38013/11/87-SS. I]

का. घा. 989 :—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 अप्रैल, 1987 को उस सार्वजनिक के रूप में नियत करती है, जिसका उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध राजस्थान राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे अर्थात् :—

"जिला अजमेर में किशनगढ़ की विस्तारित नगर पालिका सीमाओं के अन्तर्गत आने वाले क्षेत्र ।"

[संख्या एस-38013/12/87-एस.एस.-1]

ए.के. भट्टारai, अवर सचिव

S.O. 989.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st April, 1987 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Rajasthan, namely :—

"The areas comprised within the extended Municipal Limits of Kishangarh in Ajmer District."

[No. S-38013/12/87-SS.I]

A. K. BHATTARAI, Under Secy.

नई दिल्ली 24 मार्च, 1987

का. घा. 990 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भारतीय स्टेट बैंक के प्रबंधन से संबंध नियोजनों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को प्राप्त हुआ था।

New Delhi, the 24th March, 1987

S.O. 990.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure in the industrial dispute between the employers in relation to the State Bank of India and their workmen, which was received by the Central Government.

BEFORE SHRI G. S. KALRA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
NEW DELHI

I.D. No. 75/84

In the matter of dispute between :

Shri Joga Ram,
KM 53, New Kavi Nagar,
Ghaziabad.

Versus

The Regional Manager,
Regional Office,
Region No. II,
State Bank of India,
Garh Road,
Meerut.

APPEARANCES :

Shri G. K. Sharma for the workman.

Shri B. K. Chaudhry for the Management.

AWARD

The Central Government in the Ministry of Labour vide its notification No. 1-12012/113/84-D.II(A) dated 22nd November, 1984 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of State Bank of India in relation to their Kavi Nagar Branch, Ghaziabad in terminating the services of Shri Joga Ram Messenger with effect from 30-9-83 is justified ? If not, to what relief is the workman concerned entitled ?"

2. The salient facts are that the workman joined the service of the respondent bank on 1-5-73 on half scale wages thereafter he was selected as Messenger on full scale wages w.e.f. 24-12-73 and he was transferred to the Kavi Nagar, Ghaziabad Branch on 13-3-1974. On 25-10-82 he was served with charge sheet to the following effect :

"You are hereby required to show cause, why the disciplinary action should not be taken against you for the charge of misappropriation of Banks' money while you were posted at Kavi Nagar Branch. Following instance is quoted in support of the charge :—

Shri Jai Prakash Goel, who is maintaining Saving Bank Account No. 3278A at Kavi Nagar Branch deposited a cheque no. 439245 dated 21-5-82 for Rs. 20000 on 21st May, 1982 drawn on New Delhi Main Branch. You removed the cheque from the Bank & got it encashed from New Delhi Main Branch on 26th May through some D. N. Aggarwal and you also made the entry in the Saving Bank Pass Book under dated 27-5-82 as Bank Transfer (R.T.) and asked Shri M. P. Jain, Official Incharge to initial the

credit balance in the Savings Pass Book in the presence of Shri Goel. When it came to your notice that party to demanding the amount from the Bank, you deposited the amount in the account of Shri Goyal fearing that the matter may not be reported to the police. Your above action tantamounts to gross misconduct under para 521(4)(J) of Sastri Award.

You are hereby required to submit your explanation within 7 days from the receipt of this letter otherwise it will be presumed that you have nothing to say in this regard and the Bank shall proceed further in the matter.

3. The workman submitted his reply dated 29-12-82. Thereafter a domestic enquiry was held against and the Management after giving the workman opportunity to show cause against the proposed punishment, discharged him from service w.e.f. 30-9-83.

4. The workman has challenged the order of his termination on the ground that the domestic enquiry held against him was not fair and proper and was vitiated for the following reasons :

- (a) that the enquiry officer proceeded cross examine the accused as if it was for the accused to display the charges.
- (b) That evidence in the enquiry was produced at the suggestion of the Enquiry Officer.
- (c) After production of the witness the Enquiry Officer proceeded to cross examine the workman on the basis of the statements of these witnesses.
- (d) It also establishes that the Enquiry Officer was not proceeding as an Enquiry Officer but as a prosecutor himself. He was pure and simple acting on behalf of the prosecution rather than as an Enquiry Officer. The procedure adopted by the Enquiry Officer in cross examining the accused workman at the very outset is also opposed to all canons of Natural Justice, enquiry and fair play.
- (e) The Enquiry Officer proceeded as he himself was handwriting expert as well.
- (f) that the Enquiry Officer did not apply his mind while assign the evidence. He recorded his findings just to rope the workman without in any manner analysing or examining or applying his mind to the evidence to find out whether there was any evidence to substantiate the charges. The findings of the Enquiry Officer are preverse and are based upon conjectures and surmises and not on evidence.
- (g) that the representative neither produced the witnesses nor examined them. The entire work of the prosecution was done by the Enquiry Officer.
- (h) that the copy of the complaint was not supplied in the enquiry.
- (i) copies of the statements earlier taken from the witnesses were neither given to the workman nor produced in the enquiry.
- (j) that the employee was questioned at great length before the Management witnesses.
- (k) Neither the list of witnesses was supplied nor the names of witnesses were disclosed in the charge-sheet or subsequently.
- (l) that the workman was not afforded any opportunity to cross-examine the bank's witnesses.
- (m) that the personal hearing to the show-cause notice of discharge given by the disciplinary authority was also a sham show and no opportunity in fact was granted to the workman to say his view point.

It has further been stated that as the Management did not pay to the workman any retrenchment compensation at the time of his termination, there was violation of the provisions of section 25F of the I.D. Act. Hence the workman has claimed reinstatement with continuity of service and full back-wages.

5. The management in its written statement controverted the claim and allegations of the workman and asserted that the enquiry was conducted in fair and legal manner by following the principles of natural justice and the workman was given full opportunity to cross-examine the witnesses. More specifically it was stated that the workman was given opportunity to engage a representative but it is the workman himself who stated that as there was another case against him in the police, no Union representative was prepared to conduct his case and, therefore, he shall plead his own case without any union man. It was further stated that the workman is admittedly a martillate and was due for promotion to be selected as a clerk and, therefore, it cannot be said that he did not know English. In any case no objection was raised by him and moreover, the proceedings were conducted in Hindi but recorded by translation into English. It was further submitted that the discharge of the workman from service after holding domestic enquiry is in consonance with the provisions of law and, therefore, termination of his services is legal and justified.

6. I have gone through the enquiry proceedings and the findings of the Enquiry Officer and find that each and every page of proceedings is signed by the workman and that the workman was given full opportunity to engage a representative and to cross-examine the witness and to produce any evidence in his defence. At no stage of proceedings the workman had raised any objection that the same should be recorded in Hindi or that he was not able to understand the proceedings or that he may be allowed to engage any counsel. Some extracts from the enquiry proceedings which tell their own story are reproduced below :

"5-3-83.

* * * *

The N.P.A. to H.O. Sir, As there is another case in the police against me, therefore, no Union representative want to conduct my case and no Union representative is prepared to present my case. I shall plead my case without any Union man.

P.O. to Joga Ram :—Whether you have deposited the money with Shri Jagdish Persad Cashier on 27-5-82 in the name of Shri Jai Parkash Goel.

N.P.A. to E.O. I do not remember at this stage whether I have deposited the money or not. If I have deposited the money I must have deposited with the permission of the Branch Manager.

14-3-83.

H.O. to N.P.A. Would you like to present your case through some union representative or not.

N.P.A. to E.O. No union representative is ready to defend my case, so I myself will defend my own case.

Shri J. P. Goel W.3.

Next day in the morning Shri Joga Ram come to my House at about 7 A.M. that the amount in question has been received in the bank through special dok courier.

Subsequently after few days Shri Joga Ram come to me that he has no such intention of any fraud and unluckly he found the bearer cheque in the waste paper basket and as such he was tempted to get the money from Delhi and deposited in my account.

E.O. to W.3. The man which is presented before you is the man who came to your house.

W.3 to E.O. Yes, I know him, he was the messenger and he is Joga Ram."

"24-3-83.

E.O. to W.4. The entry which was made in the pass book of Shri Goyal was written of the hand writing of Shri Joga Ram.

W.4 to E.O. yes.

E.P.A. to E.O. During the material time I used to make the entries in the pass book of the customers as there was a shortage of staff.

E.P.A. to E.O. I have nothing to say more, which I have already given to the reply of my charge sheet.

E.O. to E.O. I have nothing.

E.O. to E.P.A. So you have nothing to say further.

F.P.A. to E.O. I have nothing to say more.

EO. to E.P.A. As you have nothing to say more, so enquiry is closed."

7. It is apparent from the above excerpts from the enquiry proceedings that the enquiry was held on 3 dates out of which on two dates the workman was specifically asked if he wanted to conduct the enquiry with the help of Union representative and on both occasions the workman replied that no Union Representative was prepared to conduct his case and that he shall plead his case himself without any union man. In the light of these, the allegation of the workman that he was not allowed to engage a counsel for the conduct of his case is clearly an after thought. The Id. representative of the workman has taken objection to the enquiry officer putting questions to the workman and to witnesses of the prosecution. This objection is without any basis because the enquiry officer sits in the capacity of a judge with the duty to find out the truth in the charges and he has got full power and he is within his right to ask questions both the delinquent employee and the witnesses of the parties. As is seen the questions were asked by the enquiry officer to cut short the evidence where the facts were admitted either by the delinquent official accused or by the witnesses. There was no misconduct on the part of the enquiry officer nor is there any evidence of bias against him. Moreover, the workman virtually admitted his guilt by depositing the amount of Rs. 20000/- on 27-5-82. Hence the enquiry is held to be quite fair and proper.

8. As regards the quantum of punishment, the charge against the workman of embezzlement of Rs. 20000 by encashing the cheque deposited by a customer is quite serious. Moreover, this is not the first case because the workman himself has stated that a police case is pending against him in which he was suspended on 1-8-1982 and for which reason even the Union refused to represent him in the enquiry. The workman was also not a novice in the service because he joined the service of the bank on 1-5-73 and the offence was committed by him after being 9 years in service. The banks are institutions of trust and confidence and the employees of doubtful integrity who can go to the extent of swindling the deposits of the customers have got no place in them. Hence, the punishment of discharge from service cannot be regarded as excessive.

9. In view of the discussions made above, the action of the management in terminating the services of Shri Joga Ram workman w.e.f. 30-9-83 was fully justified and the workman is not entitled to any relief. The reference is disposed of accordingly.

Further it is ordered that the requisite number of copies of this Award may be forwarded to the Central Government for necessary action at their end.

20th February, 1987.

G. S. KALRA, Presiding Officer
(No. L-12012/113/84-D-II(A))
N. K. VERMA, Deek Officer

रई तिथी, 27 मार्च, 1987

का.का 991.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार, प्राथमा बैंक के प्रबंधक से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अन्वय में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के पनाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-3-87 को प्राप्त हुआ था।

New Delhi, the 27th March, 1987

S.O. 991.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the industrial dispute between the employer's in relation to the Prathma Bank and their workmen, which was received by the Central Government on the 12th March, 1987.

BEFORE SHRI R. B. SRIVASTAVA PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
KANPUR

Industrial Dispute No. 227 of 1983

In the matter of dispute between :

Shri Bashir Ahmad
S/o Shri Habib Ahmad
R/o Vill & Post Kundarki
District Moradabad

AND

The Chairman
Prathma Bank
Prathma Bhawan
Nainital Road
Moradabad.

Appearance :

Shri Narendra Chaudhary—for the Workman

Shri A. K. Singh—for the Management.

AWARD

1. The Central Government, Ministry of Labour, vide its notifications No. L-12012/158/83, D-II(A) dt. 14th September, 1983, has referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Prathma Bank Moradabad in relation to their Nagla New Branch in terminating the services of Shri Bashir Ahmad, Junior Clerk w.e.f. 3-11-1982, is justified. If not, to what relief is the concerned workmen entitled?"

2. The case of the workman is that he was employed as junior clerk by the management bank opposite party on 6-3-79, and he was required to work in several branches and worked continuously from 20-3-79 till 2-11-82 without any break in service. That subsequently the workman was confirmed in service with effect from March 81, the petitioner while working at Bagalia new Branch applied for leave on 2-11-82 and submitted his leave application on 2-11-82 to the branch manager but the petitioner was served with a letter dt. 3-11-82 served on him on 6-11-82 whereby he was informed that his services were terminated with immediate effect under regulation No. 10(2)(a)(ii) of Prathma Bank Staff service Regulation 1980, thus the termination of the workman was in clear violation of the provisions of the Industrial Dispute Act because workman was not told reasons for removal from service and he was not heard by respondent. The letter dt. 3-11-82 did not disclose the reasons for the petitioner's removal from service and the petitioner was not given any opportunity to state his position and the same amounted to illegal removal from service by the respondent and is violative of principles of natural justice and the said removal is void and illegal, that the termination of the workman amounts to retrenchment but the management did not follow the law regarding retrenchment as he was not paid retrenchment compensation for 4 continuous years of service, thus the termination is also illegal on that count. Further the termination has contravened the provisions of section 25G of the I.D. Act because juniors to the petitioner have been retained in service while the workman has been terminated and rule of last come first go not followed.

3. Workman raised objection and demanded reinstatement vide his letter dt. 8-11-82 but the same remained unreplyed. In view of the above the applicant has prayed his reinstatement with full back wages.

4. The management contested the case of the applicant/workman on the ground that the workman was a confirmed employee of the management bank and was posted as junior clerk at Naglia New Branch of the management bank. That the service condition of the workman were governed by Prathma Bank Staff Service Regulation, 1980 which was binding on the workman and forms part of the contract of his service. That during his tenure of service the workman committed several irregularities and acts which amounted serious misconduct. Workman in contravention of the service regulation of the bank influenced the Branch Manager and get loan arranged in his own name which was running over due since long. He also got loans of several thousand arranged in the name of his family members which was in defiance of the banking practise, misuse of public funds and detrimental to the bank. That for the first time said Bashir Ahmad was posted near his home at Rustom Nagar Sahaspur but during his very first posting there were a number of complaints against him and the matter was investigated and enquired by Inspection Department of the bank and a memo served upon him. It is further averred that the workman was in the habit of instigating customers of the bank to make false complaints and allegations of accepting bribe by Manager knowing it that they were false and with a view to blackmails manager concerned, which amounted to serious misconduct and on that count he was transferred to Umarikalan branch of the Bank. The workman was transferred to further new branch and ultimately was transferred to Baniyakhera branch on his own request which posting was given to him with a chance to improve himself. On complaint he was again transferred to Nagalia New Branch. Even at that station the workman continued his habit of late coming and there were complaints of short payment at the time of actual disbursement of loans to the borrowers and the matter was enquired confidentially by the management in detail and it was reported by the inspection department that the workman was involve in making short payment to the tune of Rs. 50/- to 200 per case and that he accepted illegal gratification from intending borrowers to get their loan processed. the imputation make against him were found well founded. It is further averred that at Nagalia New Branch the workman was involved in manipulation of bank record in collusion with the then branch manager. It was under these circumstances, there were two option with the bank either to take disciplinary action against said employee or to terminate him under staff regulation under para 10(2)(a)(ii) of the same by giving him one months salary in lieu of notice and accordingly his services were terminated vide letter dt. 3-11-82 and one months salary was paid through cheque dt. 3-11-82.

5. The management did not prefer departmental action as it was time consuming process but as proof enough to substantiate allegations against the workman. In the end it is averred that the matter under consideration is not an industrial dispute and the provisions of section 25 of the I.D. Act does not apply and the services of the workman had been terminated by an innocuous causing no stigma on him and that his services were terminated under the above said clause framed under RRB Act, 1976 which has overriding effect over any other law for the time being enforced and thus this court has no jurisdiction and is not a proper forum. In the end it is averred that the management has totally lost confidence in the said employee and does not deserve to be reinstated.

6. On the point whether this court has jurisdiction it may be mentioned here that for RRB Bank established under section 3 of the RRB Act, 1976, the Central Government is the appropriate Government. The Central Govt. in relation to an industrial dispute concerning to management bank carried on under authority of the Central Govt. has referred the dispute under section 10 of the I.D. Act thus this has the over riding effect over RRB Act, 1976 and staff regulations framed thereunder and all the provisions of the Industrial Dispute Act are applicable in case of such dispute. It is a principle of natural justice that no one should be condemned unheard and whatever allegations the management has levelled against workman in paras 5 to 8 in its written statement amounted to misconduct and the workman's services were terminated with stigma attached through no such thing was mentioned in the termination order dt. 3-11-82. Prathma Bank Staff Regulation No. 10(2)(a)(ii) does not give management a blanket right to terminate the services of any one for no reason what so ever, it simply lays down the

procedure that the bank may terminate the service of an employee after giving him one months notice or pay in lieu thereof means that this can be done if there was justifying cause, for instance the retrenchment of excess employee on the basis of last come first go and if such a termination is on account of some misconduct that misconduct should be enquired into after serving show cause notice/charge sheet and services terminated only by way of punishment.

7. In *S. Govinda Rajoo Versus Karnataka State Road Transport Corporation*, 1986 Lab IC 1191 wherein it was held by the Supreme Court thus :

On the removal of his name from the select list serious consequence entail as he forfeits his right of employment in future. In such a situation even though the regulation do not afford any opportunity to an employee but principles of natural justice would be attracted and the employee would be entitled to an opportunity of explanation.

8. Further the workman was an employee of 4 years standing. It has been held in a number of cases that termination for any reason whatsoever amounts to retrenchment and hence, is that circumstances the workman should have been given retrenchment compensation. This having not been done, the termination is illegal on that count also.

9. Thus in view of the discussions made above, I hold that the action of the management is not justified and the result is that the workman has to be reinstated in service with full back wages.

10. I, therefore, give my award accordingly.

Let six copy of this award be sent to the Govt. for publication.

R. B. SRIVASTAVA, Presiding Officer
{No. L. 12012/158/83-D.II(A)}

का.प्र. 992:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, प्रथमा बैंक के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुवृत्त में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-3-87 को प्राप्त हुआ था।

S.O. 992.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the Prathama Bank and their workmen, which was received by the Central Government on the 12th March, 1987.

BEFORE THE PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, KANPUR

Industrial Dispute No. 174/83

Reference No. L-12012/161/82, D-II(A)

In the matter of dispute between :

Shri Yogendra Kumar
S/o Shri Radhey Lal Rastogi
House No. 14 Jate Ali Amroha Gate
Moradabad.

AND

The Chairman,
Prathama Bank,
Moradabad.

APPEARANCE :

Shri Narendra Chandhary—for the workman
Shri A. K. Singh—for the management.

AWARD

1. The Central Government Ministry of Labour, vide its notification No. L-12012/161/82-D-II(A) dt. 8th April 1983, has referred the following dispute for adjudication to this Tribunal;

"Whether the action of the management of the Prathama Bank Moradabad in relation to their Pakwara Branch in terminating the services of Shri Yogendra Kumar Junior Clerk from 17-11-81 is justified? If not, to what relief is the workman concerned entitled?"

2. It is common ground that the workman was appointed as junior clerk after selection on 5-7-80, and after 3 weeks training was posted as junior trainee, subsequently he was appointed as probationer/junior clerk on 26-10-80. Workman's probat on was extended for a period of 3 months commencing from 26-10-81 and the management terminated his services on 17-11-81, during the extended period of probation as the workman did not improve himself and there were several complaints against him about his misconduct and negligence such as breaking of furniture of the bank, concealing bank records, absenting himself from duty without prior information or application of leave and making false attendance for previous dates. The services of the workman were terminated during the period of probation on giving him one month's notice in view of regulation No. 8(3)(a) of the Prathama Bank Staff Regulation. It is contended on behalf of the management that the order of termination is not vet by way of provisions of the I.D. Act. That the order of termination does not cast any stigma on the workman and is not victimisation or unfair labour practice. Two courses were open for the management in the circumstances, firstly to hold an enquiry and to take disciplinary action against the workman under provision of regulation No. 30 and secondly to terminate his service under regulation No. 8(3)(a) and the management preferred second alternative as admittedly enquiry consumes a lot of time.

3. From the above it emerges that the workman having worked continuously from 5-7-80 the date of his initial appointment and continued to work till 17-11-81, which is more than 240 days of continuous service. Further it is common ground that the workman was given permanent appointment after undergoing training and was posted as probationer as junior clerk from 26-10-80. Before expiry of the probation period the workman was informed vide bank's letter dated 20-10-81 that his probation was being extended for a period of 3 months commencing from 26-10-81 but before completion of 3 months his services were terminated on 17-11-81.

4. The management witness Shri S. R. Singh has admitted that the workman had acquired/completed more than one year service at the time of his termination. According to him notice of change of service condition was circulated and pasted on the notice board and the workman gave his consent. He has denied that the consent was obtained by fraud or giving assurance that he will be made permanent in service. He has further stated that on the complaint that the workman had damaged furnitures and damaged the records, management took action. He admits that no domestic enquiry was made nor any enquiry was made and in lieu of notice one months notice pay was given and cheque was sent by registered post.

5. Workman on the other hand admitted that he has given his consent by letter dated 26-3-81 regarding application of Prathama Bank Staff Regulation but states that he has subsequently resiles from that by a separate application which he can file if required. If it was so the workman should have summoned the letter from the management and file its copy to prove authenticity of his statement.

6. The management was within its right to terminate the service of a probationer if during the extended probation period the punishing authority is of the opinion that the employee is not fit for confirmation on that post but in the instant case the punishment was motivation on account of action of the workman which could be called and explanation of which are given by management in para 11 of the written statement, those allegations amount to a stigma

and in that case the workman should have been given a charge sheet for misconduct and punishment only after due enquiry.

7. In the absence of this the termination would be illegal as the termination was with stigma attached. Further the workman should have been given retrenchment compensation as he had completed more than 240 days of service in one calendar year, thus this having not been done by the management and non compliance of section 25F of the Act, the termination, be illegal and void ab initio.

8. I, therefore, hold that the action of the management is not justified and the result is that the workman is entitled to be reinstated in service with full back wages.

9. I, therefore, give my award accordingly.

10. Let 6 copies of this award be sent to the Govt. for its publication.

R. B. SRIVASTAVA, Presiding Officer
[No. L-12012/161/82-D-II(A)]

Dated: 4-8-87.

का.प्र. 993:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, प्रथमा बैंक के प्रबंधकों से सम्बद्ध नियोजनों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-3-87 को प्राप्त हुआ था।

S.O. 993.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the Prathama Bank and their workmen, which was received by the Central Government on the 12th March, 1987.

BEFORE SHRI R. B. SRIVASTAVA PRESIDING
OFFICER CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL KANPUR,

Industrial Dispute No. 167 of 1983

Reference No. L-12012/163/82/D-II-A dt. 25-3-83

In the matter of dispute between :

Shri Dharamveer Agrawal son of Shri Chiranjilal
Village & Post Office Quazipura, Aghwanpur, Dis-
trict Moradabad, Uttar Pradesh,

AND

The Chairman,
Prathama Bank,
Head Office Nanital Road,
Moradabad.

APPEARANCES :

Shri Narendra Choudhary—for the workman.

Shri M. L. Sharma—for the Management.

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-12012/163/82/D-II(A) dt. 25-3-83, has referred the following dispute for adjudication to this Tribunal;

"Whether the action of the management of Prathama Bank in relation to their Surjan Nagar Branch in terminating the services of Shri Dharamveer Agrawal, Junior Clerk w.e.f. 26-10-78 is justified? If not, to what relief is the workmen concerned entitled?"

2. The case of the workman is that he was employed by the management opposite party as temporary junior clerk at its Nuriannagar Branch initially for two months vide letter dt. 12-10-77, consequently he joined the services on

19-10-77 and thereafter, his employment was extended continuously by office letter dt. 23-12-77 vide letter No. PBHO/714 JE/IF-78 dt. nil, then by letter dt. 23-6-78 and lastly by letter dt. 29-8-78. Vide bank's letter dt. 29-8-78 mentioned above the appointment of the workman was continued for further two months in continuity of his previous employment till 25-10-78 and on which date he was relieved after office hours vide Branch Manager's letter of even date. The workman reinstated for his reinstatement vide letter dt. 10-9-77, sent by registered post and received by the management Head Office on 11-9-79 but management made no reply. The workman had worked continuously for more than one year but his services were terminated without paying him retrenchment compensation, hence the same was ineffective and invalid and he is entitled for reinstatement.

3. The management in their written statement has averred that the management bank was established on 2-10-75, primary under Regional Rural Bank Ordinance and later the same created under the RRB Act 1976. Section 17 of the said act empowered the bank to appoint such number of employees as it might consider necessary for efficient performance of its functions and was competent to terminate and determine the terms and conditions of their services as mentioned under section 17 sub-clause (i) and (ii) of the same. Sub-clause (ii) of the same provided not withstanding anything contained in the industrial dispute act 1947 or in any other law at the time being enforced in award judgment decree decision or order of any industrial tribunal court or other authority made before commencement of this act shall apply to terms and condition in relation to the persons appointed by the RRB. It is further contended that as section 12 of the RRBs act has been given overriding effect i.e. whether provisions of RRB Act trial dispute act should prevail or provision of RRB Act 1976 should prevail. The question being of national importance should be referred to National Industrial Tribunal.

4. As regards other pleas it is contended that the workman Shri Dharamveer Agrawal was appointed on temporary post in October 1977 but later his appointment was determined on account of his voluntarily retirement w.e.f. 23-6-78 or in the alternative his deemed resignation. Thereafter the workman was granted fresh appointment by the management bank as temporary junior clerk on 23-6-78 and was given 7 days time to join new assignment of posting vide letter dt. 23-6-78 in token of acceptance vide letter No. IF/JSCI/1431/78 dt. 23-6-78. The workman gave his joining report and join duties w.e.f. 28-6-78, and in this way the workman was not paid his salary from 24th to 27th June 78, thus he was not in continuous service of the bank since October, 1977, thus the appointment which the workman joined on 28-6-78 was for two months only. The workman was given second appointment letter after two months w.e.f. 26-8-78 on the same terms and condition as embodied in the first appointment dt. 23-6-78, this letter was issued on 29-7-78 and was to take effect from 26-8-78. The management further avers that the workman was discharged from the service from 25-10-78 after bank's hours and thus he has not completed 240 days of service in bank after joining on 28-6-78 hence he is not entitled to benefit of retrenchment compensation under section 25F of the Industrial Dispute Act. The appointment of the workman was under a contract and his remedy was by way of damages in civil court and lastly the management has taken the plea that it has lost confidence in the workman as he was trying to disturb the industrial peace of the institution hence he should not be granted relief of reinstatement and the bank is willing to pay retrenchment compensation.

5. In the rejoinder it is averred by the workman that he had completed more than one years continuous service from 19-10-77 to 25-10-78 in view of provision of section 25-B of the I.D. Act, and its clause (i) and (ii). It is also contended that he could not get employment elsewhere on account of wrongful termination.

6. The management has filed affidavit evidence of Shri S. R. Singh reiterating the stand taken in the written statement.

7. In cross examination he has admitted that the workman was appointed on 12-10-77 for the first time as temporary with breaks he worked till 25-10-78 and that he has 1798 GI/86-7.

not completed 240 days in any span of one year counting w.e.f. 12-10-72. Looking to the records be stated that the workman had worked from 19-10-77 to 23-6-78 and thereafter 23-6-78 to 27-8-78 and 31-8-78 to 25-10-78. Counting backward from 25-10-78, the workman had completed more than 240 days in view of provision of section 25B(2) (a)(ii) of the Industrial Dispute Act. The management witness has admitted that no notice or retrenchment compensation was given. Under section 25F of the act the workman having worked and having been employed in the management industry continuously for a period of one year was entitled to receive one month notice or notice pay and retrenchment compensation which admittedly was not paid. Thus it renders termination illegal. The witness has further said that the workman was disturbing the peace of the management, hence he was discharged. If this was the case comes under the definition of misconduct and he should have been charge sheeted and terminated after due enquiry by way of punishment. The management had no right to terminate the workman's services on the ground that he was disturbing the peace without holding enquiry. He has not been able to say as to whether persons appointed later go the workman are still working.

8. On the other hand the workman filed his affidavit evidence stating the case of the claim statement. In cross examination he has admitted that he did not get the pay for the period 23-6-78 to 27-6-78 and admits his signatures on management's paper marked ext. M-1 and M-2 M-1 is fresh appointment letter issued to him on 23-6-78 and requiring the workman to intimate acceptance or report for duty within 7 days in consequence of which he joined duty on 28-6-78 vide joining report ext. M-2. As observed earlier even this be taken as separate appointment and discontinued from earlier appointment from 19-10-77 to 23-6-78 the workman having worked for more than 240 days even in temporary capacity would be deemed in continuous service in view of the definition of section 25B(2)(ii) of the I.D. Act and was entitled to retrenchment compensation and notice pay under section 25F which admittedly having not been paid to the workman the termination would be void and illegal on this count alone.

9. As regards legal plea that the workman should have gone to the civil court for damages and not should not have taken recourse of the Industrial Dispute Act. The same is not tenable as the I.D. Act is a Central act and is social legislation for the benefit of the weaker section of the society i.e. workman as against their employer and the provisions of the industrial dispute act are mandatory and non-compliance of the same renders termination illegal. Thus it can not be said that the workman should have gone to the Civil Court for damages when a better remedy for reinstatement is available under I.D. Act i.e. under the social legislation.

10. The result is that the workman is entitled to be reinstated in service with full back wages.

11. I. therefore, hold that the action of the management bank was not justified and the workman will be reinstated in service with full back wages.

12. I. therefore, give my award accordingly.

13. Let 6 copies of this award be sent to the government for its publication.

Dt. 4-3-87

Sd/-

R B SRIVASTAVA, Presiding Officer
[No. I-12012/163/82-D. II(A)]

का.प्र. 994 - औद्योगिक विवाद प्रसिधियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, प्रथमा दिक के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुसूच्य में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक प्रतिक्रिया कानून के पंचाद को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-3-87 को प्राप्त हुआ था।

S.O. 994.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the Union Bank of India and their workmen, which was received by the Central Government on the 12th March, 1987.

BEFORE SHRI G. S. KALRA, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL,
NFW DELHI

I.D. No. 24/85

In the matter of dispute between :

Shri Rajan Saxena, 295, Noli Gali, Gopal Pura,
Mathura-281001.

Versus

Union Bank of India through
The Assistant General Manager,
26-28 D, Connaught Place, New Delhi.

APPEARANCES :

Shri Rajan Saxena workman in person.
Shri Satpal Advocate—for the Management.

AWARD

The Central Government in the Ministry of Labour vide its notification No. L-12012/273/84.D.II(A) dated 19th June, 1985 has referred the following industrial dispute to this Tribunal for adjudication :—

“Whether the action of the management of Union Bank of India, New Delhi Zone in dismissing Shri Rajan Saxena Clerk/Cashier Mathura Branch from the services of the Bank in November 1982 is justified? If not, to what relief is the workman concerned entitled?”

2. Some of the undisputed facts are that the workman Shri Rajan Saxena joined the service of the Union Bank of India (hereinafter referred to as the Bank) as clerk-cum-cashier in June, 1977 in the Development Manager's Office, Agra and in the same month he was transferred to the Mathura Branch of the Bank. Two charge sheets dated 25-3-82 and 19-5-82 were served upon the workman and the allegations levelled against the workman are reproduced below :

Charge sheet dated 23-3-82.

“The following acts of commission and omission on the part of Shri Rajan Saxena have been reported: that while preparing vouchers pertaining to realisation of bills, Shri Saxena used to credit a part of the interest amount and/or commission amount received from other banks to his own S.B.A/c. or to the S.B.A/c. of his friends. On some occasions, Shri Saxena credited such amounts to a benami SB A/c. No. 5550 opened by him in the name of Mrs. S. Gupta. The A/c. Opening form of the said A/c. and specimen signature card was signed by Shri Saxena himself as Mrs. S. Gupta. The A/c. was introduced by Shri Saxena. This A/c. was operated by him for utilising the funds which were fraudulently deposited by him therein. A few instances of amounts irregularly transferred/withdrawn by Shri Saxena are given hereunder :—

A pay order for Rs. 200 favouring Bank of India which was prepared in connection with realisation of 2 DBPs bearing No. 240 and 156 was prepared by Shri Saxena and the same was credited in his S.B.A/c. No. 25072 on 13-4-1981.

On 30th December, 1980 an amount of Rs. 387.50 being proceeds of a cheque sent for collection was debited to the R.C.C. A/c. & credited to the Sundry Debtors/Sundry Creditors Miscellaneous Dept. A/c. since the name of the Branch which had sent the subject cheque for collection was not traceable, Shri Saxena debited the Sundry Debtors/Sundry Creditors Miscellaneous Dept. A/c. and credit the amount

to bills payable Pay Order Issued A/c. Pay order favouring Bank of India was issued. The same was taken by Shri Saxena and he got it collected through the Bank of India.

On 22nd July, 1981 while preparing the set of vouchers of D.P.Bs. realised pertaining to M/s. Makhan Cher Prints, Shri Saxena prepared a credit voucher of Rs. 496.61 for the fictitious S.B.A/c. No. 5550 of Mrs. S. Gupta and included the same in the set. This fraudulent credit of Rs. 496.61 was utilised by Shri Saxena in the benami name of Mrs. S. Gupta

On 25th June, 1981 Shri Saxena requested the Branch Manager to purchase a cheque for Rs. 250 in the A/c. of Mrs. S. Gupta & on 30th July, 1981 he requested the Branch Manager to purchase his cheque for Rs. 200. These cheques were never sent to the drawee Bank/Branch and the Ops. were adjusted out of the proceeds of other bills. Shri Saxena thus misappropriated the amounts.

While disbursing the loan of Rs. 1000 in the A/c. of Shri Prabhu Dayal S/o Shri Shyamlal, friends of Shri Saxena, 2 pay orders instead of one more prepared for Rs. 1000 each in the name of Shri Prabhu Dayal and Shri Shyamlal. The second pay order was credited to the B.B.A/c. of Sri Shamlal which A/c. was introduced by Shri Saxena. Later, when Shri Shyamlal gave Shri Saxena a blank cheque duly signed by him for withdrawing an amount of Rs. 200 from his A/c. Shri Saxena withdrew Rs. 1200 from the said A/c. and misappropriated Rs. 1000.

On 8th July, 1981 S/Shri Bankey Behari Vastralaya deposited a cheque bearing No. 28240 for Rs. 3830.02 for collection. The amount was wrongly mentioned in the paying in slip as Rs. 3820.00 Shri Saxena taking advantage of the error committed by the party transferred the amount of Rs. 10 to the credit of S.B. A/c. No. 5550 of Mrs. S. Gupta by means of a paying in slip which was filed in by him.

On 7th July, 1981 a cheque for Rs. 150 was purchased on behalf of Shri Saxena. The entry was not recorded in the O.B.F. Register, but the O.P.A/c. was debited with Rs. 150. Shri Saxena prepared the relevant vouchers himself and credited the amount to his S.B. A/c. No. 25072. The amount was then withdrawn by him on the same day by means of a withdrawal form.

The aforesaid acts on the part of Shri Saxena constitute the following major misconducts and he is hereby charged of the same :

1. Misappropriation of Bank's money to the extent of Rs. 2074.11.
2. Doing acts prejudicial to the interest of the Bank.
3. Committing fraud.”

Charge sheet dated 19-5-82.

“that while preparing realisation DBP Nos. 312, 316, 355, 440, 453, 454 and 468 Shri Saxena wrongfully prepared a voucher for Rs. 280 for issue of a pay order of Rs. 280 favouring Bank of India which voucher was included in the same act of DBP realisation vouchers.

That on 2-7-1981 Shri Saxena purchased at Mathura Branch a pay order No. 001805 for Rs. 332.50 against deposit of cash favour Bank of India A/c. of 'Ragni'. With this pay order for Rs. 332.50 p. Shri Saxena deposited in Bank of India, two pay orders No. 001633 dated 7-4-1981; for Rs. 387.50 p. & 001690 dated 10-6-1981 for Rs. 280 wrongfully obtained by him at Mathura Branch for fraudulent entries passed by him. These 3 pay orders amounting to Rs. 1000 were collected from Mathura Branch by Bank of India on 8th July, 1981 for issue of deposit receipt for Rs. 1000 favouring 'Ragni' of U/G. S. Gupta.

The aforesaid acts of omission and commission on the part of Shri Saxena constitute the following gross misconducts for which he is charged with :

Doing acts prejudicial to the interest of the Bank.
Committing fraud.

Misappropriating Bank's money to the extent of Rs. 2974.11, including the above amount of Rs. 280”.

3. A domestic enquiry was conducted by Shri Gursharan Singh Superintendent who also acted as the Disciplinary Authority and imposed the punishment of dismissal from service of the workman vide orders dated 3-11-1982. The workman preferred an appeal which was rejected by the Appellate Authority vide order dated 4-5-83.

4. The workman has challenged the order of dismissal on the ground that the domestic enquiry conducted against him was not fair and proper and was vitiated for three reasons that he was not allowed inspection of the record and was not supplied copies of documents for submitting his explanation to the charge sheets served upon him; that his request for sealing the documents/records so that any additional alterations could not be done was not allowed which resulted in addition alteration/cuttings and changes were made by the Management in the documents; that the entire proceedings were not recorded correctly and the documents furnished by him were not taken on records; that re-examination of witnesses of the bank was allowed without cogent reasons for filling up the gaps and deficiencies in the Management evidence; that the enquiry officer had no powers nor was supposed to have the power of imposing punishment as the Enquiry Officer is merely a fact finding Authority.

5. The Management controverted the allegations of the workman and asserted that the enquiry was conducted in a fair and proper manner and the workman had been allowed inspection of documents and supplied copies of the documents and allowed opportunity to cross-examine the witnesses and also to produce his own evidence and that the enquiry was conducted in accordance with the Rules and principles of Natural Justice. It was further submitted that the workman had admitted the charges levelled against him and deposited the misappropriated amount and even during the course of personal hearing before the Appellate Authority the workman admitted the charges against him. It was further stated that in terms of circular No. 2309 dated 20-5-81 of the bank the enquiry officer was powered to hold enquiry as well as to impose the punishment. It was also submitted that there is no provision in the Conduct rules for giving inspection of documents before the commencement of the enquiry.

6. I have been lead through the enquiry proceedings and the various documents relied upon during the enquiry proceedings and the report of the enquiry officer as well as the order of punishment and order of the Appellate Authority and I find that by and large it was fair proper enquiry and the workman was given sufficient opportunity to explain his conduct and cross-examine the witnesses and the various submissions made by him were fully dealt with and the finding of the enquiry officer cannot be said to be perverse. Although the action of the Management in not permitting the workman to inspect the relevant documents for filing his reply to the charges before the enquiry proceedings was quite unjustified, yet it cannot be said to have caused any prejudice to the workman because before the start of the enquiry proceedings vide the documents Ex. M-10 dated 30-1-82 the workman in his own handwriting admitted all the acts of fraud misappropriation etc. In his statement before this Tribunal as MW1 the workman admitted the correctness of this document but added that this was got written from him under coercion and it was not voluntary and that he was locked up in the Manager's Cabin till 11 PM where Narinder Beri was dictating and he wrote the letter. However, it is only in his oral evidence that he stated for the first time that this document was got written from him under coercion. Even in his affidavit dated 31-10-1986 he did not mention about this fact. It is, therefore, clear that this allegation that the document Ex. M-10 having been written under coercion is only an after thought. In any case during the enquiry proceedings the workman was permitted to inspect all the relevant documents and the indiscretion if any made of the part of Management was made good. In this regard the workman in the letter dated 17-7-87 (EX. D-5 in the enquiry) in his own hand writing stated that he had been permitted to inspect the documents exhibited by the Management representative and that he had inspected the documents Ex. M-1 to M-39 and that he had requested for the supply of one copy of Ex. M-33 which also had been supplied to him. Even after the con-

clusion of the enquiry, during his personal hearing before the Appellate Authority where his father Shri S.D. Saxena was also present, the workman confessed his guilt and prayed for leniency on compassionate grounds as he was the eldest son and only earning member of the family and that besides his father and brothers he also had to support his wife and two children. The workman in his statement as WW1 has admitted that the document Ex. M-1 is signed by him and his father. In view of the fact that the charges were mainly based on documentary evidence and in the light of the confessional statements made by the workman vide Ex. M-10 and M-6, the various objections now raised by the workman regarding the fairness and propriety of the domestic enquiry, pale into insignificance because where there is admission of guilt by the workman there was no necessity for the Management to tender evidence. The objection of the workman to the enquiry officer also acting as disciplinary authority, is also without any force in view of the staff circular No. 2309 dated 28-5-81 Ex. M-2 whereby the disciplinary authority was also inter alia vested with the power to hold enquiry. This action of the Management is also consonance with para 19.14 of the Bipartite Settlement dated 19-10-66, according to which the Chief Executive Officer of the Principal Officer in India, of the Bank, or an alternate officer at the Head Office or Principal Office, appointed by him for the purpose, shall decide which officer(s) shall be empowered to hold enquiry and take disciplinary action in the case of each office or Establishment and he shall also decide which officer or a body higher in status than the Officer authorised to take disciplinary action shall be empowered to deal with and dispose of any appeals against orders passed in disciplinary matters. In a subsequent settlement dated 31-10-1969 it was further clarified that under clause 19.14 of the Bipartite Settlement dated 19-10-66, the disciplinary authority may conduct the enquiry himself or appoint other Officer as enquiry officer for the purpose of conducting an enquiry. Hence there was nothing illegal in the disciplinary authority in this case conducting enquiry himself.

7. Under the circumstances, it is held that the domestic enquiry conducted against the workman was fair and proper and the findings of the enquiry officer on various charges against the workman are not perverse.

8. No doubt banks are Institutions of trust and confidence and the normal consequence of a person having been found guilty of misappropriation and fraud would be punishment of termination of service by way or discharge or dismissal. However, in the present case there are number of extenuating circumstances which go to show that the punishment meted out in this case is a little harsh. In the first instance the workman indulged in very petty acts of fraud and misappropriation because in all the charges levelled against him the amount misappropriated was only Rs. 2974.11 p. Even this amount had been recovered from the workman in full and, therefore, there has been no loss to the bank. The workman was relatively quite inexperienced. The workman is the only earnings hand in the family and has to look after his father and brothers as also his wife and children and deserves compassion. The workman is quite well qualified being an M. Com. and with such qualification having accepted the job of a clerk and fighting for reinstatement for all these years clearly goes to show his poor economic condition. Taking into consideration all these facts and circumstances the order of dismissal of the workman is set aside and he is directed to be reinstated from the date of enforcement of the award but without any back wages and without continuity of service and he may also be posted at any branch/office of the respondent bank. This reference stands disposed of accordingly.

Further it is ordered that the requisite number of copies of this Award may be forwarded to the Central Govt. for necessary action at their end.

26th Feb. , 1987.

G. S. KALRA, Presiding Officer

[No. L-12012/273/84-D.II (A)]

N. K. VERMA, Desk Officer.

नई दिल्ली, 25 मार्च, 1987

का. आ. 995.—सिनेमा कर्मकार और सिनेमा थियेटर कर्मकार (नियोजन का विनियमन) अधिनियम 1981 (1981 का 50) की धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार यह निवेश देती है कि भारत के राजपत्र भाग II खंड 3 उप-खंड (ii) में दिनांक 13 सितम्बर 1986 के पृष्ठ 3587 से 3599 पर प्रकाशित भारत सरकार के श्रम मंत्रालय की दिनांक 29 अगस्त 1986 की अधिसूचना संख्या का. आ. 3157 में निम्नलिखित संशोधन किए जाएँगे अर्थात् :—

उक्त अधिसूचना में मद 4 और उससे संबंधित प्रविष्टियों का लोप कर दिया जाएगा।

[का. सं. एस-61011/1/86-डी-1(ए)(ii)]

New Delhi, the 25th March, 1987

S.O. 995.—In exercise of the powers conferred by section 4 of the Cine-Workers and Cinema Theatre Workers (Regulation of Employment) Act, 1981 (50 of 1981), the Central Government hereby directs that the following amendments shall be made in the notification of the Government of India in the Ministry of Labour No. S.O. 3157, dated the 29th August, 1986 published at pages 3597 to 3599 of the Gazette of India, Part II-Section 3-Sub-section (ii), dated the 13th September, 1986, namely :—

In the said notification, item 4 and entries relating thereto shall be omitted.

[F. No. S-61011/1/86-D.I (A)(ii)]

का. आ. 996.—सिने कर्मकार और सिनेमा थियेटर कर्मकार (नियोजन का विनियमन) अधिनियम 1981 (1981 का 50) की धारा 2 के खंड (घ) के अनुसरण में केन्द्रीय सरकार नीचे दी गई सारणी के कॉलम (1) में उल्लिखित पश्चिम बंगाल सरकार के अधिकारी को उक्त सारणी के कॉलम (2) में अनुसूची प्रविष्टि में विनिर्दिष्ट क्षेत्र के लिए उक्त अधिनियम के उद्देश्य से सक्षम प्राधिकारी के कार्य करने के लिए प्राधिकृत करती है :—

सारणी

अधिकारी का पदनाम	क्षेत्र
(1)	(2)
उप-अध्यक्ष (प्रवर्तन तथा कानून)	समस्त राज्य

[संख्या—एस-61011/1/86-डी-1(ए)(iii)]

नन्द लाल, अवसर सचिव

S. O. 996:—In pursuance of clause (d) of section 2 of the Cine-Workers and Cinema Theatre Workers (Regulation of Employment) Act, 1981 (50 of 1981), the Central Government hereby authorises the Officer of the Government of West Bengal mentioned in column (1) of the Table, to perform the functions of the competent Authority under the said Act for the area specified in the corresponding entry in column (2) of the said Table :—

TABLE

Designation of the Officer	Area
(1)	(2)
Deputy Labour Commissioner (Enforcement and Law)	Whole of the State

[No. S-61011/1/86-D.I(A)(iii)]

NAND LAL, Under Secy.

नई दिल्ली, 25 मार्च, 1987

प्रारंभ

का. आ. 997.—इससे उपाखंड अनुसूची में विनिर्दिष्ट विषय के बारे में एक औद्योगिक विवाद पीठासीन अधिकारी, औद्योगिक अधिकरण, अहमदाबाद के समक्ष लम्बित पड़ा है;

और भारतीय खाद्य निगम के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारियों ने, जिनका प्रतिनिधित्व काङ्गला पोर्ट वर्कर्स यूनियन करती है, तथा श्री बल्लभ भाई लालजी, श्री निरंजन सिंह, श्री पी. जे. अवेरा, श्री ओसमान इशाक बापाया, श्री राम खिलूमस, श्री पी. आ. ललबानी, श्री जी. भीरयानी और श्री पुंजा शवा ने संयुक्त रूप से केन्द्रीय सरकार को औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (2) के अधीन आवेदन किया है कि उनके बीच विद्यमान औद्योगिक विवाद को उक्त आवेदन पत्र में उल्लिखित मामलों के संबंध में, जिन्हें कि इससे उपाखंड अनुसूची में पुनः दिया गया है, राष्ट्रीय अधिकरण को निविष्ट किया जाए;

और केन्द्रीय सरकार का समाधान हो गया है कि आवेदन करने वाले व्यक्ति प्रत्येक पक्ष के बहुमत का प्रतिनिधित्व करते हैं;

प्रतः श्रम, केन्द्रीय सरकार—

(i) औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7ख द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक राष्ट्रीय अधिकरण गठित करती है जिसका मुख्यालय, कलकत्ता में होगा और श्री ए. शवा को इसका पीठासीन अधिकारी नियुक्त करती है; और

(ii) औद्योगिक विवाद अधिनियम, 1947 की धारा 10 की उपधारा (2) के साथ पठित औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 33(ख) की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, पीठासीन अधिकारी, औद्योगिक अधिकरण, अहमदाबाद के समक्ष लम्बित उक्त विवाद से संबंधित कार्यवाहियों को बापस लेती है और उक्त औद्योगिक विवाद को न्यायनिर्णयन के लिए उक्त राष्ट्रीय अधिकरण को निविष्ट करती है।

उक्त अधिकरण औद्योगिक विवाद अधिनियम, 1947 की धारा 10 की उपधारा (2क) के अनुसार अपना पंचाट छह माह की अवधि के अंदर देगा।

अनुसूची

"श्री श्री बल्लभजी लालजी, श्री निरंजन सिंह, श्री पी. जे. अवेरा, श्री ओसमान इशाक बापाया, श्री राम खिलूमस, श्री पी. आ. ललबानी, श्री जी. भीरयानी, श्री पुंजा शवा और उसी स्थिति में काम कर रहे अन्य कर्मचारियों को (अर्थात् बैक्यूबेटर डिबीजन के कर्मचारियों, जो प्रारम्भ में काङ्गला पत्तन ग्यास में नियुक्त किए गए थे और जिन्हें 1-1-1973 की भारतीय खाद्य निगम ने अपने नियंत्रण में ले लिया था) भारतीय खाद्य निगम में भारतीय खाद्य निगम के अन्य इंजीनियरी कर्मचारियों की तुलना में ज्येष्ठता, काङ्गला पत्तन ग्यास में प्रारम्भिक नियुक्ति की तारीख से दी जाए या 1-1-1973 से दी जाए, जब उन्हें भारतीय खाद्य निगम ने अपने नियंत्रण में लिया था"।

[सं. एन-42011/37/78-डी-2(बो)]

हरी सिंह, डैस्क अधिकारी

New Delhi, the 25th March, 1987

ORDER

S.O. 997.—Whereas an industrial dispute specified in the Schedule annexed hereto is pending before the Presiding Officer Industrial Tribunal, Ahmedabad;

And whereas the employers in relation to the management of the Food Corporation of India and their workmen represented by the Kandla Port Workers' Union along with Shri Vallabhaji Lalji, Shri Niranjan Singh, Shri P. J. Jedeja, Shri Osman Issak Bapada, Shri Ram Khilumal, Shri P. O. Lalwani, Shri G. Bhuryani and Shri Punja Ada have jointly applied to the Central Government under sub-section (2) of the Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), for reference of the industrial dispute that exists between them to a National Tribunal in respect of the matters set forth in the said application and reproduced in the schedule hereto annexed;

And whereas the Central Government is satisfied that the persons applying represent the majority of each party;

Now therefore, the Central Government—

- (i) in exercise of the powers conferred by Section 7B of the Industrial Disputes Act, 1947 (14 of 1947) hereby constitutes a National Tribunal with head quarters at Calcutta and appoints Shri A. Dutta as its Presiding Officer; and
- (ii) in exercise of powers conferred by sub-section (1) of Section 33 (B) of the Industrial Disputes Act, 1947 (14 of 1947), read with sub-section (2) of Section 10 of the Industrial Disputes Act, 1947, the Central Government hereby withdraws the proceedings in relation to the dispute pending before the Presiding Officer, Industrial Tribunal, Ahmedabad and refer the said industrial dispute to said National Tribunal for adjudication.

The said Tribunal shall give its Award in the said dispute within a period of six months in accordance with the Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947.

SCHEDULE

"Whether Shri Vallabhaji Lalji, Shri Niranjan Singh, Shri P. J. Jedeja, Shri Osman Issak Bapada, Shri Ram Khilumal, Shri O. P. Lalwani, Shri G. Bhuryani, Shri Punja Ada and other employees similarly situated (that is to say that employees in the Vacuator Division who were initially appointed in the Kandla Port Trust and taken over by the Food Corporation of India on 1-1-1973) should be given seniority in the Food Corporation of India right from their initial appointment in the Kandla Port Trust, Kandla, or they should be given seniority from only from 1-1-1973 when they were taken over by the Food Corporation of India, Vis-a-vis the other Engineering staff of the Food Corporation of India.

HARI SINGH, Desk Officer
[No. L-42011/37/78-D. II (B)]

नई दिल्ली, 27 मार्च, 1987

का.प्र. 998:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मनीयर् हर्बर्टकुल इंजीनियर उत्तर रेलवे लाइन के प्रबंधक से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार, औद्योगिक अधिकरण, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17 मार्च 1987 को प्राप्त हुआ था।

New Delhi, the 27th March, 1987

S.O. 998.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Sr. Electric Engineer, Uttar Railway, Lucknow and their workmen which was received by the Central Government on the 17th March, 1987.

BEFORE SHRI R. B. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL KANPUR

Industrial Dispute No. 21 of 1986

Reference No. L-41011/7/85-D.II (B) dated 22-1-86

In the matter of dispute between :

The Zonal Working President Uttar Railway Karamchari Union 96/196 Roshan Bajaj Lane Ganesh Ganj, Lucknow.

AND

The Senior Electrical Engineer (Works) Northern Railway, Lucknow.

APPEARANCES :

Shri B. D. Tewari—for the workman.

Shri Ravi Jauhari—for the Management.

AWARD

1. The Central Government vide its notification No. L-41011/7/85-D.II (B) dated 22-1-86, has referred the following dispute for adjudication to this Tribunal :

Whether the action of the Senior Engineer (Works) Uttar Railway Lucknow in not regularising the services of 8 workmen mentioned below who has put in more than 10 years of service is justified ? If not, to what relief the workmen are entitled and from what date.

ANNEXURE

1. Shri Thakuri son of Bansi
2. Shri Lalman, son of Bansi
3. Shri Baboo Lal son of Sheo Mangal
4. Shri Ram Sanchi Lineman
5. Shri Chandra Pal son of Mohan
6. Shri Sheo Murat—blacksmith
7. Shri Jai Mangal, son of Kanhai
8. Shri Baboo Lal son of Dwarka.

2. It is common ground that all the workmen are working in electrical department under Senior Engineer Construction Northern Railway, Lucknow. Management admits that workman Thakuri is working since 1958. It is not disputed that other workmen are working from 1959 or 60. Management however avers that all these workmen working on projects they are neither entitle to regularise nor authorise scale pay whereas workmen has averred that a settlement was made between union and the railway administration at the stage of ALC (Central) when industrial dispute was raised in 1983. The management was represented by Shri Bhattacharya Ji Sr. Electrical Engineer and Shri Raghuram Senior Divisional Personnel Officer Northern Railway Lucknow. The settlement arrived regarding grant of temporary status of construction casual labour as follows :

- Union contended that orders for grant of full temporary status to individual railway employee having completed 180 days as casual labour should be issued. This order have not been implemented this may be checked up.
2. The union further contended that in view of supreme court decision is R. Desouza's case pass PTOs privilege leave and medical facility should also be extended to the family members of employees who have attained temporary status as per rule 2501 establishment manual, the position will be checked up further and result intimated to ALC. The matter will also be referred to Head Quarter for clarification.
3. On the point of absorption on semi skilled/skilled casual labour against 25% quota in identical post in open line DPP Lucknow will be asked to absorb them in 25% quota.

3. Management has averred that department of Electrical Construction Charbagh Lucknow is a project. It is contended on behalf of the workman that construction is a regular unit on which authorised scales are provided and scale rates and authorised scale are one and same.

4. Management has filed photo copy of the railway board circular dated 12-6-74 per list dated 25-8-86 whereby in view of RLT Award para 4.26(6) which the government accepted a casual labour working on project was to be paid scale rate after working for a continuous period of six months but they were not to acquire the status of temporary servant and will not have the benefit of any further increments, and railway board consequently decided that such workmen will not entitle to rights privilege as admissible to the temporary employees.

5. Both the parties have lead their evidence on affidavit and have appeared for cross-examination through their respective witnesses.

6. In rule 2501 of the Railway Establishment Code casual labour has been defined, sub-clause (i)(b) of the same lays down :

That such of the casual labourers who continued to do the same work for which they were engaged or other work of the same type for more than 6 months without a break will be treated as temporary after expiry of six months of continuous employment.

But sub clause '1' 'b' lays down :

Labour on project irrespective of duration except those transferred from their temporary or permanent employment shall continue to be a casual labour and the conditions applicable to permanent and temporary staff will not apply to them.

7. Management witness Shri Shivendra Sinha has deposed that for project they took temporary labour and that they were all working on project and without looking to the records he can not say on which project are workman was working. He is not able to say how many project are going on. He admits that workman Thakuri and Lal Man are working under SEF (Construction) Lucknow and are presently working at Lucknow. Presently they are working at Central Water House. He further states that Central Power House work is a work of project and not open line work of construction. Construction unit in railway is a regular unit for day to day working and maintenance of railway line and other constructing work may also be entrusted with project work which not a regular work for instance converting a narrow gauge line into broad gauge or lying line in order to improve the carrying capacity of the railway. In order to be a project merely showing that workman was working on project unless admitted will not sufficient but the management shall have to show that the particular workman was working in that particular project for which there had been sanction from the general manager financial adviser and Chief Accounts Officer all of whom have jointly declared a particular work as project. It does not appeal to reason that Central Power House work at Lucknow Railway station would be a work of project which is a work of continuing nature and the work of which has not to come to an end after after lapse of certain period.

8. Thus in the absence of any specific evidence that the workmen were working on project are not entitle to temporary status. They having worked for such long time they will be entitled to temporary status in view of provisions of para 2501 of the railway establishment manual.

9. The management itself after the judgment of the Supreme Court in Indra Pal Yadav versus Union of India decided on 18-4-85 issued circular No. 22/76 dated 17th September, 1986 whereby the management agreed granting temporary status to project casual labour also from 1-1-1981 in those cases who have completed 5 years service on that date. The workmen averred about the agreement in para 1 of the claim statement. The management has neither admitted nor

denied the same. Not only that union has specifically mentioned the names of Shri Bhattacharya ji senior Electrical Engineer construction and Shri Raghuram Senior Divisional Personnel Officer Northern Railway before whom the agreement was made. In that they had agreed for grant of temporary station to construction casual labours and absorption of semi skilled and skilled labour against 25 per cent quota in identical post in open line.

10. Workman Thankuri has deposed in cross-examination that he is working as Blacksmith and works as such wherever he is deputed to work. He has denied that work where he is engaged in a project.

11. Shri B. D. Tewari who also appeared for the workmen deposed that in proviso 2 rule 2501 Railway Establishment manual unless General Manager and Financial Advisor and Chief Accounts Officer jointly declares a work as project only then a particular work is project else all other is open line in general work in the railway. He has deposed about the agreement relying in para 7 and 8 of his affidavit. Workman Baboo Lal has also appeared in the witness box as WW-1 and has deposed that he is working in construction department as maison. He too states that Thakuri is working as blacksmith and regarding other workman Baboo Lal son of Shiv Mangal he states that he was working as wireman and he is presently dead. As these two workmen namely Thakuri and Baboo Lal blacksmith and maison respectively and Baboo Lal deceased as wireman were either skilled or semi skilled at least they should be absorbed against 25 per cent quota in identical post in open line. It is an unfair labour practice to employ workman as casual or temporary and to continue them as such for years with the object of depriving them of status and privilege of permanent workman, as per item No. 10 of 5th Schedule added to the I. D. Act by amendment w.e.f. 21-8-84. Management after giving them temporary status when they had already worked for about 5 years should have taken care to absorb them in regular vacancy and not having done so for such a long time was an unfair labour practice and should not be allowed to continue further.

12. In these circumstances and for the reasons discussed above I hold that the action of the Senior Electrical Engineer (construction) Northern Railway in not regularising the services of 3 workmen mentioned in the annexure who had put in more than 10 years service is not justified. The result is that they will be regularised forthwith from the date of finalisation of this award.

13. I, therefore, give by award accordingly.

Let six copies of this award be sent to the Government for its publication.

Dated : 4-3-1987.

R. B. SRIVASTAVA, Presiding Officer

[No. L-41011/7/85-D.II (B)]

का. प्र. 999.--औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार, डिभिजन्ल परसोनेल आफिसर, नारदन रेलवे लखनऊ के प्रबंधन से सम्बन्धित नियोजकों और उनके कर्मचारों के बीच, अनुसूचन में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के पश्चात् को प्रकाशित करती है. जो केन्द्रीय सरकार को 13 मार्च 1987 को प्राप्त हुआ था।

S.O. 999.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Kanpur, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Divisional Personnel Officer, Northern Railway, Lucknow and their workmen, which was received by the Central Government on the 13th March, 1987.

BEFORE SHRI R. B. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, KANPUR

Industrial Dispute No. 259 of 85

In the matter of dispute between :

Shri B. D. Tewari, Zonal Working President, Uttar Railway, Karachari Union, 96/196, Roshan Bajaj Lane, Ganesh Ganj, Lucknow.

AND

The Senior Divisional Personnel Officer Northern Railway, Lucknow.

APPEARANCES :

Shri B. D. Tewari representative—for the workman.

Shri Ravi Jauhari representative—for the management.

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-41012(31)/84-D.II (B) dated 12th August, 1985, has referred the following dispute for adjudication to this Tribunal :

Whether the action of the management of Northern Railway Lucknow in denying promotion to the workman Shri Ratan Singh, Carpenter Gr. II to the post of Carpenter Grade I w.e.f. 5-4-80 is justified, if not, to what relief is the workman entitled ?

2. The case of the workman that he was a carpenter Grade II under Signal Inspector (M)(II) Northern Railway Lucknow. He was formerly a carpenter in skilled grade and in seniority list of carpenter he was senior to Shri Jagdamba Prasad. The workman was promoted as carpenter highly skilled grade (ii) from 16-1-80. He was initially appointed as Carpenter on 7-11-50 where as Shri Jagdamba Prasad was appointed on 18-11-50 as such and he was promoted to highly skilled grade (ii) on 5-4-80, whereas the workman as stated earlier was promoted on 16-1-80. Workman passed his trade test for carpenter grade (ii) in 1979 whereas Shri Jagdamba Prasad qualified for that grade in the year 1980 by passing trade test. Said Jagdamba Prasad was promoted as highly skilled grade I and highly skilled grade II both on the same date i.e. 5-4-80 which casual supersession of workman by his junior Shri Jagdamba Prasad. The post of carpenter grade I was up graded w.e.f. 1-8-78, as per orders of the railway board and arrears from 1-8-78 was paid to Jagdamba Prasad and not to the workman Ratan Singh. He is consequently entitled to promotion under next below rule and railway extent rules to the post of carpenter grade I w.e.f. 5-4-80 on which date Shri Jagdamba Prasad was promoted to that post and also entitle to relief of arrears w.e.f. 1-8-78.

3. The management has admitted in the written statement that workman Ratan Singh was appointed on 7-11-50 initially as Khalasi under BSI/Lucknow, and was confirmed as such on 5-11-51, he was temporarily transferred as carpenter for two months on construction work at Dilkusha but on expiry of temporary sanction came back as carpenter skilled grade (iii) on 21-8-58 under CTXR Lucknow and after completing service of 15 years 5 months he was transferred from CTXR Lucknow to Signal Department to BI/Lucknow on his own request on 7-4-67 which post he joined on 7-4-67 and was assigned seniority in signal department in the list of the gradation list of permanent and temporary carpenters in skilled grade, thus he was placed in seniority below to Jagdamba Prasad. It is admitted that Jagdamba Prasad was appointed as Khalasi in signal department on 18-11-50 i.e. 11 days after initial appointment of the workman and was confirmed as Khalasi on 26-9-53. He was provided regular vacancy of carpenter on 6-1-55 and was confirmed on 18-5-55 in signal department. Management admits that both Jagdamba Prasad and Ratan Singh were promoted to highly skilled grade (ii) w.e.f. 1-3-78 as a result of restructuring of artisan staff while assigning the seniority under office letter No. 847-EIII-I dated 22-9-75, the name of Jagdamba Prasad was left out due to clerical mistake and on representation of Shri Jagdamba

Prasad the same was rectified and he was given his due seniority above workman Ratan Singh, consequently Shri Jagdamba Prasad being senior to Ratan Singh was immediately trade tested in grade (ii) and (i) and was promoted to grade I on 5-4-80 against upgraded post. As workman was transferred to signal department vide office order dated 9-2-67 and consequently he joined the signal department on 7-4-67. He was given bottom seniority on the date of joining and as the workman was junior to Shri Jagdamba Prasad the letter was correctly given upgrading w.e.f. 1-8-78, thus the applicant is not entitle to any relief.

4. On behalf of management Shri D. B. Shukla has filed his affidavit testifying the averments of the written statements. His cross-examination commenced on 5-3-86. He has deposed that the workman was promoted as highly skilled grade II on 16-1-80 with retrospective effect from 1-8-78 as per service record whereas Shri Jagdamba Prasad was promoted to highly skilled grade II on 5-4-80 with retrospective effect from 1-8-78 as per service record. Said Jagdamba Prasad was further promoted as highly skilled grade I on that very date i.e. 5-4-80. But Ratan Singh was not promoted as highly skilled grade I on 5-4-80. The witness was recalled again on 12-9-86, when he filed photo copy of the service record of the workman and testified the same from the original service record. In cross examination he has admitted that he has no knowledge as to who made entries in the service book and who was the APO, who signed the relevant entry against the entry of transfer and who has endorsed the entries under APOs signatures. He further admits that he has not seen letter dated 9-2-67, and being a dealing assistant he was there to depose that with service record.

5. On the other hand the workman has given his affidavit testifying the correctness of annexure I to III filed alongwith claim statement and IV and V filed with the affidavit.

6. In cross examination he denied knowledge if Shri Jagdamba Prasad was scheduled caste candidate. He admits that he was working under TXR Lucknow on 21-8-52 and was confirmed on 21-8-52 and from there he was transferred to signal department under Block Inspector on administrative grounds and on my own request. On being questioned as to why he was transferred he has deposed that reasons he did not know. He admits that in the seniority list of 75 name of Jagdamba Prasad is not there but his name was there in the seniority list of 1983 in which signal and telecommunication are separate and their seniority list is separate. He further admits that he was in signal department where Shri Jagdamba Prasad was in telecommunication department. He further admits that when he was transferred from TXR to Signal Department Jagdamba Prasad was working in telecommunication department. He further admits that even on that date seniority list of telecommunication and signal department was separate. According to him on 16-1-80 when he was promoted to grade II name of Jagdamba Prasad was not there as he belong to telecommunication department. He states that Jagdamba Prasad was promoted first in grade II and then in grade I and posted under Chief Telecommunication Inspector w.e.f. 1-8-78 whereas he was given grade II w.e.f. 1-8-78. He denies that in the seniority list of 1975 the name of Jagdamba Prasad was left out by mistake and on his representation his seniority was corrected and his name was brought above him. He further denied that it was on that count that Shri Jagdamba Prasad being senior to him was given scale of grade I from 1-8-78. He denied that on account of his request he was transferred from CTXR to Signal Department and he got bottom seniority there.

7. Workman has filed affidavit of Shri Jeewan Lal who was working with him in the signal department who has deposed that Ratan Singh did not move any application for transfer to Signal Department for CTXR department and that he had even service record in 1977 and till then there was no entry that he was transferred on his own request.

8. In cross examination he admits that seniority of TXR and Signal department both of them separate. He has no knowledge as to whether he made any application at the office of CTXR for being brought to signal department. He however admits that workman was temporarily transferred to Dilkusha for two months on 11-6-52 as carpenter and after expiry of sanction he was not transferred back to TXR on

21-8-52. He again states that on 5-4-67 Ratan Singh came back to signal department from TXR. He testifies about the correctness of annexure IV filed along with affidavit of workman Ratan Singh. This annexure simply speaks that Ratan Singh Carpenter working under HTXR NR Lucknow is hereby transferred to BI Lucknow and this has approval of competent authority. It is dated 9-2-67.

9. Workman has retired from service on 30-11-85 and it appears that he started making representations regarding his seniority some time from 81 when another man Shri Jagdamba Prasad was given promotion in Grade I on 5-4-80. Management contention is that his name was in advertantly left out from the seniority list of 75. The service record photo copy of which has been filed shows that it is specifically written after the entry dated 21-8-66 as follows :

Transferred from HTXR Lucknow to Block Inspector Lucknow at his own request on 7-4-67 vide this office letter No. 941E/II dated 9-2-67.

In view of this entry which made in regular course of business and is a authentic document regarding the particulars of posting etc. of the workman I am not inclined to believe the workman that he had not made any request for his transfer from TXR to Block Inspector/Lucknow. After this entry there entries of 67 and 68 and so on. It is a normal rule that if one is transferred to one department to another at his own request the seniority of which department are maintained separately, the name of the workman so transferred has to be put at the bottom of the gradation list. Even if workman was initially appointed on 7-11-50 Jagdamba Prasad was appointed on 18-11-50. Said Jagdamba Prasad having been confirmed in the telecommunication department earlier would be senior to the workman who was transferred to the telecommunication department on 7-4-67 on his own request. It may be that the name of Shri Jagdamba Prasad was left out inadvertently from gradation list of 75 which was corrected later on his request and it is on that count that he was promoted to the post of highly skilled grade II and I on one and the same date i.e. 5-4-80.

10. Thus in any view of the matter the workman having joined the telecommunication department later to Jagdamba Prasad was rightly placed below him and is not entitled to promotion to the post of carpenter Grade I w.e.f. 5-4-80. On the ground that the same being given to him junior Shri Jagdamba Prasad who was really not junior to the workman.

11. I accordingly hold that the action of the management of Northern Railway Lucknow in denying promotion to the workman Shri Ratan Singh, Carpenter Grade II to the post of carpenter Grade I w.e.f. 5-4-80 was justified and the result is that the workman is not entitle to any relief.

12. I, therefore, give my award accordingly.

Let six copies of this award be sent to the Government for its publication.

Dated : 4-3-1987.

R. B. SRIVASTAVA, Presiding Officer

[No. L-41012/31/84-D.II (B)]

HARI SINGH, Desk Officer

नई दिल्ली, 31 मार्च, 1987

का. प्रा. 1000.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, वेस्टर्न रेलवे प्रजेक्ट के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिनियम, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 13 मार्च, 1987 को प्राप्त हुआ था।

New Delhi, the 31st March, 1987

S.O. 1000.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Kanpur, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Western Railway Ajmer and their workmen, which was received by the Central Government on the 13th March, 1987.

BEFORE SHRI R. B. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, KANPUR

Industrial Dispute No. 27 of 1986

Reference No. L-41012(8)/85-D.II(B) dt. 20-1-86

In the matter of dispute between

The General Secretary,
Purvottar Railway Shramik Sangh,
NER Ashok Marg,
Hazaratganj,
Lucknow.

AND

The Divisional Railway Manager,
North Eastern Railway,
Hazaratganj,
Lucknow.

APPEARANCE :

Shri B. D. Tewari for the workman

Shri B. P. S. Chauhan for the management.

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-41012(8)/85-D.II(B) dt. 20th January, 1986, has referred the following dispute for adjudication to this Tribunal :

Whether the denial of seniority of Shri J. N. Tewari as Engine Cleaner w.e.f. 18-12-71 by the DRM(P) Lucknow and by deversing his subsequent orders for regularisation of his appointment as Engine Cleaner w.e.f. 21-7-76, fixing his seniority in the grade w.e.f. 18-1-80 is justified ? If not, to what relief he is entitled to ?

2. The case of the applicant is that he was recruited as engine cleaner on 18-12-71. He continued to work as such when screening test held on 21-7-76 for the post of fitter Khalai in which he was declared successful. The workman continued to work as engine cleaner even if passing this trade test but represented the railway management that the screening committee had no authority to order or write to change the cadre of employee instead of declaring him fit and unfit for the post on which he was working for the last several years. On this the Senior Divisional Personnel Officer decided that the workman may be treated as Engine Cleaner and may be given seniority in that cadre w.e.f. 21-7-76. The DRM NER subsequently changed the seniority as engine cleaner and treated him to be on that post w.e.f. 18-1-80. It is averred that workman by virtue of his recruitment and continuing to work for more than 240 days was entitled to protection of Industrial Dispute Act and as he was empanelled on 21-7-76 and continued to work as engine cleaner there, after from 21-7-76 to 18-1-80, the DRM's order was arbitrary and perverse and is liable to be set aside in supersession of the workman and seniority of a number of his juniors who came above him in the seniority list during that period. It is consequently proved that the workman is entitle for promotion as engine cleaner from 18-12-71 and entitle to further promotion to fire man grade B upto the stage his junior Shri V.K. Singh was promoted to that post.

3. In the claim statement the workman itself summoned shed notice from 18-12-71 to 18-1-80, attendance register for the above period, decision of DRM dt. 18-1-80 and the leave register of engine cleaner from 18-12-71 to 19-1-80.

3. According to the management the workman was appointed for the post of fitter khalasi by screening committee on 21-7-76, and after selection as such the workman applied for change of his category from fitter khalasi to engine cleaner. That category was changed and he was allowed seniority of fitter from the date of change of category i.e. 18-1-80. The DRM had ordered:

Subsequently on appeal preferred by Shri J. N. Tewari the case was wrongly decided by authority i.e. Sr. DPO allowing him seniority w.e.f. 24-7-76, who was not competent to do so being lower in rank than DRM. The matter was again brought to the notice of the management by PRKS, the DRM after considering the merits of the case ordered to revert back the seniority of the workman w.e.f. 18-1-80, the date of change of category from fitter khalasi to Engine Cleaner.

It is further averred that mere engagement as substitute engine cleaner and working as such does not confer any right to the workman to have seniority unless selected and approved by screening committee. The screening committee considered the workman fit for the post of fitter khalasi and as such the question of allowing him seniority as engine cleaner prior to the change of category does not arise. In the circumstances the applicant is not entitled to the seniority claimed.

4. In support of his case the applicant has filed a certificate from Assistant Loco Foreman NER Anwarganj, Kanpur which shows that he was engine cleaner from 18-12-71. Paper no. 2 is memorandum signed by DRM(P) Lucknow is to the effect that the order dt. 18-1-80 regarding change of category of workman Shri J. N. Tewari from the post of fitter khalasi to engine cleaner and consequent seniority is amended and as he has worked continuously as engine cleaner from 18-12-71 hence he will be deemed to be senior from 1976 on the basis of the report of the screening committee of 1976 as follows: "in the seniority list the name of the workman was inserted as 5(a) in between names of Shri Bishandas appearing at serial no. 5 and above the name of Shri Sahdeo Lal appearing at no. 6.

5. On behalf of the management one Shri Chhanga Lal head clerk of the personnel department of DRM Office appeared in the witness box. In his affidavit he has reiterated the stand taken by the management in the written statement. Looking to the records and service book of the workman hesitated that workman was employed in the management railway on 19-12-71 as substitute engine cleaner. He passed AI medical category on 17/22/74. He admitted that to his knowledge the medical category for fitter khalasi is B1 or below and not A1. He admits that on 21-7-76, workman was working as engine cleaner/fitter khalasi, this he is deposing as fitter khalasi is written in red ink below engine khalasi written in blue ink. He is not able to say as to when and by whom this subsequent entry in red ink was made. He states that fitter khalasi is not running staff but after change of his category as engine cleaner he was running staff. He further states that as per records he is working as fitter khalasi. He admits that in the attested copy of document no. 5 filed today against the name of workman appearing at serial no. 19 his post is not mentioned in column no. 5 of the same but in general they were found suitable for non running post. He further admits that presently the workman is being paid for the post of engine cleaner after 18-1-80. He further states that on the application of the workman his category was changed from fitter khalasi to engine cleaner and from that date he is assured seniority in the category of engine cleaner. He has filed original application dt. 18-12-79 whereby the workman requested for change of category. In the leave record category of workman is written as substitute engine cleaner and not as engine cleaner. The original application of the workman is marked ext. M-1. In this he has written that from the date of his appointment till the date of his application he was working on the post of engine cleaner but unfortunately his screening was done for the category of fitter khalasi and not for engine cleaner for which he made several application. He consequently

prayed that his appointment be made/corrected in the category of engine cleaner. Consequently his appointment in engine cleaner be made. It was on this application that the DRM agreeing with workman having passed medical category A who is presently fitter is posted on the post of engine cleaner in that category and he will get seniority junior most.

6. On the other hand workman appeared in the witness box and made averments of the claim statements in his affidavit. In cross-examination he stated that he was employed on 18-12-71 as engine cleaner at Anwarganj and was posted to Lucknow in 1977. He admits that the scale of fitter khalasi and engine cleaner both is same and at the time of his appointment no screening was done. He admits that application Ext. M-1 was written by him. He further admits that in the list declares for screening his name was in list of fitter khalasi which was wrong. He denies having moved any application for change of category. He further states that in 1981 he got seniority list in which he was shown as employed as engine cleaner since 1976 instead of 18-12-71. It is not declared that Shri J. N. Tewari was initially appointed as sub-engine cleaner from 18-12-71 and passed his medical examination for A1 category in July 1974. Admittedly the workman was working as engine cleaner on 21-7-76. Screening committee selected the workman for the post of fitter khalasi on 21-7-76. It is further admitted that the scale of pay of engine khalasi and fitter khalasi is same with this difference only that engine cleaner is treated as running staff and fitter khalasi is not as such. He was probably for this reason that in the service book for the period 1-12-75 to 30-11-76, the cadre of the workman is written in red ink as fitter khalasi in place of engine cleaner. It is after screening and medical that one will be deemed a regular employee in the department though prior to that, undoubtedly he was working as temporary hand as engine cleaner, in the service record also the workman is shown as temporary till 1-12-74 and it is after that he is recorded as fitter khalasi and the word temporary is not written against that. It appears that on the representation of the workman that he had been working as engine cleaner since inception. The senior DPO decided that he may be treated as engine cleaner and may be given seniority in that cadre w.e.f. 24-7-76. The matter was agitated before DRM in PNM meeting and the DRM was of the opinion that Sr. DPO had no right to allow the workman seniority w.e.f. 24-7-76 as he was lower in rank than the DRM who alone was competent and authorise to order in the matters of change of category. This matter was again brought to the notice of administration and the workman also applied per his application ext. M-1 for change of category from fitter khalasi to engine cleaner. The DRM after considering the merits of the case ordered on 18-1-80 that his category from fitter khalasi is changed to engine cleaner but he will be placed at the bottom in the seniority list of engine cleaner.

7. The management has drawn my attention to para 12 of the Railway Establishment Manual which relates about transfers on request which reads as follows :

The seniority of a railway servant transferred at their own request from one railway to another should be allowed below that of the existing confirmed and officiating railway servant in the relevant grade in the promotion group in the new establishment irrespective of the date of confirmation or month of officiating service of the transferred railway servant.

Note : This applies also to cases of transfer on request from one cadre/division to another cadre/division on the same railway.

8. The workman having failed to raise objection immediately when the screening committee found him suitable to the post of fitter khalasi will be deemed that he was previously appointed in the regular cadre i.e. fitter khalasi and when other persons of that category or of the category of engine cleaner had acquired their position in the seniority list the same can not be change without any cogent reason. The DRM rightly considering it to be a case of change of category from the fitter khalasi to engine cleaner rightly ordered that the change is allowed subject to the condition that he will be placed below persons who are in the list of engine cleaner.

9. The DRM has also rightly recalled the order of the Sr. D.P.O. in view of Sopact item (ii) wherein only DRM had full power in respect of class III and IV staff within the division to consider cases of respective promotion or to rectify past administrative errors and thereof.

10. In these circumstances and for the reasons discussed above, I hold that the action of the management was justified and the result is that the workman is not entitled to any relief.

11. I, therefore, give my award accordingly.

Let 6 copies of this award be sent to the Government for its publication.

R. B. SRIVASTAVA, Presiding Officer

[No. L-41012/8/85-D.II(B)]

का. भा. 1001—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, भारतीय खाद्य निगम के प्रबंधन से सम्बद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक प्रवि करण, कानपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17 मार्च, 1987 को प्राप्त हुआ था।

S.O. 1001.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Kanpur, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Food Corporation of India and their workman, which was received by the Central Government on the 17th March, 1987.

BEFORE SHRI R. B. SRIVASTAVA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, KANPUR

Industrial Disputes No. 171 of 1985

Reference No. L-42012(6)/85-DV dated 6-11-1985

In the matter of dispute between

The President,
Bhartiya Khadya Nigam Mazdoor Sangh,
1-Abdul Aziz Road,
Lucknow.

AND

The Regional Manager,
Food Corporation of India,
Regional Officer,
UP Region,
5/6 Habibullah Estate,
Lucknow.

AWARD

1. The Central Government, Ministry of Labour, vide its notification No. L-42012/6/85-DV dt. 6-11-1985 has referred the following dispute for adjudication to this Tribunal;

Whether the termination of Shri Girja Nandan Ex-daily rated workman of Food Corporation of India Depot Lucknow w.e.f. 26-9-1981 by the Regional Manager, Food Corporation of India, Lucknow after 3 years continuous service without any notice for retrenchment and retrenchment compensation is justified? If not, what relief the workman is entitled to?

2. It is common ground that the workman was working as unskilled labour at Food Corporation of India Talkatora Lucknow for more than 3 years prior to 26-9-81, when services of the workman were terminated. The contention of the management is that the workman himself abandoned the job and stop coming from 26-9-81. It is however, admitted that the workman had attended on 25-9-81.

3. The whole question is whether the workman is entitled to the benefits of section 25F of the ID Act. It is admitted by the management that the workman worked for 263 days in a span from October 78 to September 79. Management has further admitted that from September, 79 to September 80 the workman worked for 216 days. In the affidavit also the management witness admitted that workman worked for 221 days between 27-9-79 to 26-9-80.

4. In American Express Versus Management of American Express 1985 Supreme Court Cases Labour & Services it was held that under section 25(b) (A)(ii) and explanation the word actual paid work or not less than 240 days includes the paid holidays in section 12 of the UP Dookan Aur Vanija Achinlyam 1962, a workman is entitled for wages for holidays and national holidays counting 4 days as weekly rest or holidays in span of one year one would get said paid leave for atleast 48 days adding this 48 days to the admitted number of working days to 221 for the period 27-9-79 to 26-9-80 it would come to more than 240 days. Thus in any eventuality whether taking 79 or 80 as admitted days vide for the period 78-79 the workman has completed 240 days and was entitled to retrenchment compensation and notice pay.

5. In the absence of all this the termination would be void abinitio and illegal and the workman still be entitled to be reinstated with full back wages.

6. Now coming to the question whether it was a case of abandoned or termination. The admitted position is that the workman attended work on 25-9-81 and according to the management he stopped coming from 26-9-81. Even if it was so management should have waited for minimum 3 days if not carrying his name till end of month i.e. 30th September, 1981 and not striking out his name from 26-9-1981. It has been held in H. D. Singh Versus RBI that striking out the name from the rolls amounts to retrenchment.

7. Thus in any view of the matter the management not having been given notice, notice pay or retrenchment compensation before striking out the name of the workman from the rolls the workman is entitled to benefit of section 25F of the ID Act. The result is that the termination of the workman on this count is void abinitio and he is entitled to be reinstated in service with full back wages. It has been admitted by the management witness that the work of quality control FCI Talkatora is of such a nature that if the workman does not turn up another man has to be engaged in his place. Management should have continued the name of the workman before following the provision of 25G and rule 77 of the ID Central Rules, thus the termination is also illegal on this count.

8. Thus in any view of the matter termination of the workman is illegal for terminating the services of the workman without notice or retrenchment compensation and I accordingly hold that the termination of the workman is illegal.

9. I, therefore, hold that the action of the management of Food Corporation of India i.e. Regional Manager is not justified and the result is that the workman is entitled to be reinstated in service with full back wages.

10. Let six copies of this award be sent to the Government for its publication.

Dt. 4-3-87

R. B. SRIVASTAVA, Presiding Officer

[No. L-42012/6/85-D.V.ID.II(B)]

HARI SINGH, Desk Officer

नई दिल्ली 26 मार्च, 1987

का. आ. 1002.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार कूरीदीह कॉलरी में संसद भारत कोकिंग कोल लिमिटेड के प्रबन्धन के सम्बद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, संख्या 2, धनबाद के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 19-3-87 को प्राप्त हुआ था।

New Delhi, the 26th March, 1987

S.O. 1002.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Kooridih Colliery of M/s. Bharat Coking Coal Limited, and their workmen, which was received by the Central Government on the 19th March, 1987.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 72 of 1986

In the matter of industrial dispute under Section 10(1)(d) of the I. D. Act, 1947

PARTIES :

Employers in relation to the management of Kooridih Colliery of Messrs. Bharat Coking Coal Limited and their workmen.

APPEARANCES :

On behalf of the workmen : Shri S. K. Sharma, Vice President, Koyala Ispat Mazdoor Panchayat.

On behalf of the employers : Shri S. C. Gaur, Personnel Manager.

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 11th March, 1987

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 had referred the following dispute to the Central Government Industrial Tribunal No. 1, Dhanbad vide their Order No. L-20012(341)/84-D.III(A), dated the 15th February, 1985. Subsequently the said dispute was transferred to this Tribunal by the Government of India, Ministry of Labour vide their Order No. S-11025(5)/85-D.IV(B), dated 14-1-1986.

SCHEDULE

"Whether the action of the management of Kooridih Colliery of Messrs. Bharat Coking Coal Limited in refusing to give employment to the dependants of deceased workmen, Smt. Sugia Kamin and Shri Dukhan Bhuia, as per Clause 10.4.2 of the National Coal Wage Agreement-II, is justified? If not, to what relief are they entitled?"

The case of the workmen is that late Sugia Kamin and late Dukhan Bhuia were working as stacker and miner/loader respectively in Kooridih Colliery of M/s. B.C.C. Ltd. Sugia Kamin died in the year 1981 and Dukhan Bhuia died in 1982. Shri Chandrika Bhuia the dependant son of late Sugia Kamin and Smt. Sugia Kamin wife of late Dukhan Bhuia demanded employment as dependant on the strength of clause 10.4.2 of NCWA-II. The management denied to give employment to Chandrika Bhuia and Sugia Kamin. Koyala Ispat Mazdoor Panchayat took up the case of Chandrika Bhuia and Sugia Kamin as the said union was convinced

that the denial to give employment to the concerned dependents was unjustified. The said union made a demand to the management for giving employment to Chandrika Bhuia and Sugia Kamin as dependants of the ex-employees. The management vide their letter dated 15/22-2-84 addressed to the union refused to give employment to the said concerned dependent on the plea that the provision of employment to the dependent under clause 10.4.2 of NCWA-II is not applicable in the case of casual workers. Thereafter the said union raised an industrial dispute before the ALC (C), Dhanbad. The ALC(C) started conciliation between the parties. The conciliation failed and thereafter the present reference was made. The term "Casual" used by the management for the concerned deceased workmen is wrong when judged on the basis of clause 3(g) of the Model Standing Orders according to which a casual workman is he who is engaged for work which is essentially of casual nature. In the present case neither the job of a miner nor that of a stacker is of casual nature. Both the said jobs are of permanent nature. So the term "Casual" used in respect of the concerned deceased workmen is misnomer. The refusal of the management to give employment to the dependents of the deceased workman is illegal, unjustified and improper. It is prayed that the dependents of the deceased workmen be given employment and payment of full wages to them for the period from the date they had applied for giving employment.

The case of the management is that the present reference is not maintainable as the dependents of the deceased employees are not workmen and cannot raise any industrial dispute. The relevant clause of NCWA-II relating to providing employment to dependents of deceased workmen is as follows:—

"Employment would be provided to one dependent of workers disabled permanently and those who meet with death while in service."

The two workmen late Sugia Kamin and Dukhan Bhuia were not in the service at the time of their death and as such their dependents are not entitled to be employed under NCWA-II. They were casual wagon loaders/Badli Miner loader and they used to be employed as and when required. They were employed for a particular day only and there was no guarantee for their employment on subsequent dates. Their services used to stand automatically terminated after the expiry of the day. When the casual/badli workmen is not entitled to employment himself, the question of giving employment to his dependent after his death is absurd. The dependents of casual/badli workmen are not entitled to employment on their death. It is the option of the casual workers to present himself for his employment and it is the option of the management to employ him or not on the subsequent dates. Smt. Sugia Kamin was not in employment from 14-9-81 and she died on 19-1-81 and Shri Dukhan Bhuia badli/Miner/loader was not in employment from March, 1982 and died on 7-10-82. They had left their services some day prior to their death. On the above plea it is submitted that the dependent of the deceased workmen are not entitled to get any employment.

The only question to be determined in this case is whether Shri Chandrika Bhuia son of late Sugia Kamin and Smt. Sugia Kamin wife of late Dukhan Bhuia are entitled to get employment as per clause 10.4.2 of NCWA-II. The management and the workmen have each examined one witness in support of their respective case. The documents on behalf of the management have been marked Ext. M-1 to M-6. No document has been marked on behalf of the workmen.

Admittedly late Sugia Kamin and late Dukhan Bhuia were workmen in Kooridih Colliery. It is also admitted that late Sugia Kamin was working as Stacker and late Dukhan Bhuia was working as Miner/loader. Ext. M-6 is Form B Register of Kooridih Colliery. Sl. No. 189 of Ext. M-6 is in respect of Sugia Kamin which shows that she was working as stacker since June, 1975 and Sl. No. 79 is in respect of late Dukhan Bhuia which shows that he was working as Wagon loader since 27-10-74. M-1 is the identity card register of Kooridih Colliery. Sl. No. 2208-C is in respect of Smt. Sugia Kamin who was working as stacking Mazdoor since June, 1973. There is also a note to show that she died on 18-7-81. Sl. No. 2331-C is in respect of Dukhan

Bhuia in Ext. M-1 which shows that he was employed on 27-10-74 and died on 7-10-82. Ext. M-2 is an extract from Bonus Register of Kooridih Colliery in respect of Sugia Kamin and Dukhan Bhuia for the 4 quarters of 1981 and 1982 respectively to show their attendance and the period from when their work was stopped.

MW-1 Shri Patram Prasad is working as P.O's clerk in Kooridih Colliery since 1971. He has proved the Form B Register of Kooridih Colliery in respect of casual workmen which has been marked as Ext. M-6. He has stated that Dukhan Bhuia used to work as casual wagon loader and Sugia Kamin used to work as stacking Mazdoor and that on the date of their death they were not on the roll of the casual workers of the colliery. He has further stated that the casual workmen were not given regular work and the management used to give them work whenever their services were required. In cross-examination he has stated that the work of extracting coal, its transport stacking and wagon loading are the regular work of colliery. MW-1 is attached to the Personnel department of the colliery and he is not competent witness to say since when the deceased workmen were not working. He is in the nature of a formal witness to prove the documents and his evidence cannot be relied on the facts of the case. VW-1 is working as a bill clerk in Kooridih colliery. He has stated that in 1973 he was appointed in BCCIL. He knew late Dukhan Bhuia and Sugia Kamin were all prior to their death and they were on sick leave. He has also stated that the reason of termination of the services of workman is noted in Form B Register and identity card register. He has stated that late Dukhan Bhuia was formerly working as Wagon loader and thereafter he was working as Miner/Loader underground. Ext. M-2 shows the designation of late Dukhan Bhuia as Miner and as such it appears that VW-1 was stating correctly that subsequently Dukhan Bhuia was working as a Miner/loader. In the cross-examination he has stated that he is a bill Clerk and pay clerk and as such he knew that Dukhan Bhuia was working as Miner/loader. He was preparing the bill of wagon loader and stacker. He was unable to say the number of permanent wagon loaders and stackers out of the numbers stated by him. He has stated that wagon loaders and stacker are given permanent work even if no wagon is placed in the siding and that they are given as 26 days work in a month. It is apparent from Ext. M-1 and Ext. M-6 that Sugia Kamin was working as a stacker since June, 1973 and Dukhan Bhuia was working since 27-10-74. The management has, no doubt, shows them designated as casual workers but the fact that they were working since 1973 and 1974 shows that they were not casual in the sense that they had attended the colliery only for a few days but that they were working since about 8 years prior to their death. The management has not filed their attendance or other document to show as to what was their attendance in year prior to their death or in any of the years during their service.

The ground of refusal to given employment to the deponents of the two deceased employees is stated in Ext. M-5 dated 15/22-2-84. The management of Kooridih Colliery had informed Shri S.K. Sharma, Vice President of the sponsoring union with reference to the letter of Shri Sharma dated 19-1-84 that the provision of NCWA-II for giving employment to the dependant of the deceased workman is not applicable in case of casual workmen. The management has filed another letter Ext. M-4 dt. 2-7-85 which is a letter from Chief of Industrial Relations to the Chief of Personnel E.C. Ltd., in respect of clause 9.4.2 of NCWA-III. It is stated in this letter that the dependant of casual/temporary/badli workers who died cannot claim the benefit of clause 9.4.2 of NCWA-III, they being not permanent employee of the company. Thus the stand of the management is that a dependant of deceased casual employee cannot claim the benefit of clause 10.4.2 of NCWA-II or its equivalent clause 9.4.2 of NCWA-III. The provision of employment to dependent only speaks of providing employment to one dependent of worker who meet with death while in service. It does not differentiate between a casual and permanent workman. The argument advanced on behalf of the management is that the employee who was himself only a casual workman cannot bestow a right of employment of more than what he himself possess and it is further submitted that as the deceased workmen were casual workmen their dependents cannot claim the right of

permanent employment. I am inclined to agree with a part of the said submission that a dependant of deceased casual workman cannot claim right of having a permanent employment but I do find a sense in the demand of the workmen that the dependents of the deceased workmen can claim employment although it may not be a permanent employment but atleast employment of the nature which the deceased were enjoying. As NCWA-III or II does not differentiate between a casual workman and a permanent workman and the definition of workmen under the Model Standing Order covers casual and permanent workmen, I hold that the dependents of the deceased workmen are entitled to claim employment of the casual nature to which the deceased workmen were enjoying. In the above view of the matter I hold that clause 10.4.2 and clause 9.4.2 of NCWA-II and III respectively can be availed of by the dependents of the two deceased workmen and they are entitled to get employment under the management.

There is no dispute regarding the fact that Chandrika Bhuia is the dependent son of late Sugia Kamin and Dukhan Bhuia was the husband of Smt. Sugia Kamin and as such they are the two dependents of the two deceased workmen.

In the result I hold that the action of the management of Kooridih Colliery of M/s. B.C.C. Ltd. in refusing to give employment to Chandrika Bhuia son of late Sugia Kamin and Smt. Sugia Kamin wife of late Dukhan Bhuia as per clause 10.4.2 of NCWA-II is not justified. The management is directed to give employment of the nature to which the deceased were enjoying within one month from the date of publication of this Award. The dependent will not, however, be entitled to any wages for the intervening period. The management is further directed to put them in the roll of the casual workers in place of their deceased.

This is my Award.

I.N. SINHA, Presiding Officer
[No. L-20012/341/84-D. III(A)]

Dt. 11-3-87.

नई दिल्ली, 27 मार्च, 1987

का. मा. 1003.—औद्योगिक विवाद प्रवर्धन, 1947 (1947 का 14) को धारा 17 के अनुवर्ण में केन्द्रीय सरकार नूतनीकृत जिनपुर कोयली हस्तों के प्रवर्धन के सम्बद्ध नियमों और उनके कर्मचारियों के बीच अनुवर्ण में विवाद औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक प्रवर्धन नं. 2 अनुवर्ण के पत्राव को प्रकाशित करती है जो केन्द्रीय सरकार को 18-3-87 को प्राप्त हुआ था।

New Delhi, the 27th March, 1987

S.O. 1003.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Noonidih Jitpur Colliery of M/s. Indian Iron and Steel Co. Ltd. and their workmen, which was received by the Central Government on the 18th March, 1987.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL, TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 154 of 1985

In the matter of industrial dispute under Section 10(1)(d) of the I.D. Act., 1947.

PARTIES :

Employers in relation to the management of Noonidih Jitpur Colliery of M/s. Indian Iron and Steel Co. Ltd. and their workmen.

APPEARANCES :

On behalf of the Workmen : Shri J.P. Singh, Advocate.

On behalf of the employers : Shri R. S. Murthy, Advocate.

STATE : Bihar

INDUSTRY : Coal

Dhanbad, the 10th March, 1987

AWARD

The Govt. of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their order No. L-20012(117)/85-D. III (A), dated, the 10th November, 1985.

SCHEDULE

"Whether the demand of Indian National Coal Mines Engineering Workers' Association for regularisation of Shri Chandeshwar Singh as Munshi in category-IV in Noonidih Jitpur Colliery of M/s. Indian Iron and Steel Company Limited is justified? If so, to what relief is the concerned workman entitled?"

The case of the workmen is that the concerned workman Shri Chandeshwar Singh was first appointed in Noonidih Jitpur Colliery in 1971 as General Mazdoor in Category I. In 1973 he became a Tyndal in Category IV. In 1978 the concerned workman was transferred from underground job of Tyndal to work as Munshi in the Town Department of M/s. IIS Co. and his designation continued to be as Tyndal in Category-IV. In the Town department the job being performed by the concerned workman was to receive coal in the Coal dump from the contractors and to maintain the accounts of the same. He had to distribute coal from the Coal dump to the employees of the colliery residing in the quarters and dhowras on the basis of slips issued by the Welfare Officer and he was maintaining the accounts of the same. The said duties being performed by the concerned workman was a clerical job and as such he had demanded from the management though various letters for changing his designation from Tyndal to that of Munshi in clerical cadre. The management of the colliery went on putting off the matter and ultimately promoted Ayodhya Kahar watchman of the Coal dump as Munshi in Clerical Grade. Ayodhya Kahar used to work under the concerned workman in inferior scale of pay. The promotion of Ayodhya Kahar in the clerical cadre as Munshi clouded the future prospect of the concerned workman specially when there has been no change in the duties being performed by the concerned workman. In spite of designation of a Munshi given to Ayodhya Kahar, the refusal of the change of designation and clerical grade by the management as demanded by the concerned workman and his union is unfair labour practice and discriminatory in the sense that Ayodhya Kahar holding an inferior post and working under the concerned workman has been allowed to be designated as Munshi in preference to the concerned workman. An industrial dispute was raised by the union of which the concerned workman is a member. The management had appeared during the conciliation and submitted that Ayodhya Kahar was doing all the job of distribution of coal in the Town department and that the concerned workman was working under him as Tyndal. The conciliation failed and thereafter the present dispute was referred to this Tribunal for adjudication. It is prayed on behalf of the concerned workman that he should be designated as Munshi in Clerical Cadre with effect from the date when he was for the first time placed in the Town department.

The case of the management is that the reference is bad in law and not maintainable as Munshi in the Coal mine are not in Cat. IV and the workman and the concerned union could not have made any demand for placing the concerned workman in the post of Munshi in Cat. IV. The Central Govt. has made the present reference without applying its mind to the facts of this case as he Munshi in the Coal Mines are in Clerical cadre. The present reference was also barred by Tripartite settlement reached before the ALC(C) Dhanbad, on 4.8.82.

Distribution of coal for domestic supply to the employees in the residential township of Noonidih Jitpur colliery was

previously entrusted to the Welfare Inspector along with other welfare work. The Welfare Inspector was responsible for receiving supplies of coal from the mine, its distribution to the workers and maintenance of all relevant papers. In the year 1980 Shri R. S. Murthy, Welfare Inspector was promoted as Welfare Officer and thereafter the work relating to the receipt of coal for domestic consumption from the mine and its distribution to workers residing in the township and maintenance of connected records was entrusted to Shri Ayodhya Kahar who started working as Munshi in connection with those work. The case of Ayodhya Kahar was taken up by colliery Staff Association in the year 1982 and by a tripartite settlement reached before the ALC(C), Dhanbad on 4.8.82 he was regularised as Munshi in clerical Grade-III. The concerned workman also belong to the same union to which Shri Ayodhya Kahar belong. The said union did not take up the case of the concerned workman as it found no merit in his case. In 1985, the concerned workman approached Indian National Coal Mines Engineering Workers Association (INMEWA) for taking up his case. The said union is not competent to enroll as its members workers such as the concerned workman as the said union solely represents the interest of engineering workers. The concerned workman is not an Engineering worker. The dispute raised by INMEWA has no leg to stand and it was not competent to raise the said dispute. The concerned workman was a Tyndal in daily rated Cat. IV. Sometime in the year 1974 he met with an accident in the mines and after he was discharged from hospital he applied for light duty on the surface. The management took a sympathetic view on the application and in humanitarian ground he was allowed to light duty on the surface temporarily without reduction of his wages. When the concerned workman became fit to do his original job subsequently, it was found that there was a huge surplus of employees due to Chasnalla disaster in 1975 and consequent upon closure of Chasnalla shaft mines a large number of surplus employees of Chasnalla colliery were transferred to Noonidih Jitpur Colliery. As such there was no scope for posting the concerned workman again in the underground section and he continued on the said alternative job in the Town department. The concerned workman was actually working under Ayodhya Kahar Munshi of Manual job and dumping coal at various points in the residential colony to enable the employees to collect their quota from those points. The said alternative job had been given to the concerned workman from the beginning of his transfer to the Town department. The concerned workman was required to distribute coal on the basis of slips relating to supply of coal to individual workers as prepared by the Munshi and signed by the Welfare Officer and to take the signature of the employees concerned on the slips acknowledging the receipt of coal and return the same to the Munshi for the purpose of records. The concerned workman was thus doing the job of a General Mazdoor in daily rated Cat. I but he was being paid Cat. IV wages applicable to the post of Tyndal. The case of the concerned workman that he was working as Munshi is false. The concerned workman is totally illiterate and not fit to the work of Munshi. The concerned workman was never entrusted with the job of Munshi and he was never asked by the Welfare Officer in the Town Maintenance to do any other job except stated above. It is submitted that the demand of the workman for regularisation the concerned workman in Clerical Grade-III in Noonidih Jitpur Colliery is not at all justified and he is not entitled to any relief.

The point for consideration is whether the concerned workman was working as Munshi in the Town Administration of Noonidih Jitpur Colliery and whether he is entitled to Clerical Grade-III.

The management examined two witnesses and the workman examined three witnesses in proof of their respective cases. The management have produced documents which have been marked as Ext. M-1 to M-6, and the documents produced on behalf of the workmen have been marked Ext. W-1 to W-11.

Admittedly Ayodhya Kahar who was working in the Town department was designated as clerical Grade-III with effect from 4.8.82 vide tripartite settlement marked Ext. W-7. Admittedly the said Ayodhya Kahar is working as a Munshi in the Coal distribution of the Town Administration as Clerk Grade-II since 4-8-82. Ext. W-5 dated 21-8-78 will

show that the concerned workman had been assigned to look after the distribution of domestic coal to the employees of Jitpur colliery and was asked to assist the Welfare Officer (Town) and his staff in the Town maintenance and report him every day over and above the coal distribution job. Ext. W-6 is the office order dated 9.2.79 by which shows that the concerned workman had been transferred from Mining department to Town department in his existing category and basic and was to report to the Welfare Officer for instruction regarding his duties. These are the two documents which show how the concerned workman was transferred from the Mining Department to the Town department for distribution of domestic coal to the employees. These documents do not show that the concerned workman was transferred to work as Munshi in the Town department. On the contrary W-6 will show that he was transferred on his existing category and basic and that is why his designation remained as Tyndal in Category IV. WW-2 is the concerned workman Chaudhreshwar Singh. He has stated that he was appointed for the first time in 1971 as General Mazdoor in Category-I and after about 4 years he was made Tyndal in Category IV. He has stated that in 1978 he was transferred to the Town department of the colliery as Munshi. He has further stated that he had met with an accident and as such he was transferred to Town department after recovery. In his cross-examination he has stated that he has filed a paper in this case issued by the management he was transferred from Mining Department to the Town department as Munshi. But no such paper has been filed to show that the concerned workman was transferred in the Town department as Munshi. On the contrary as I have already stated above the management had transferred the concerned workman to look after the distribution of the domestic coal to the employees on his existing category and basic. Thus there is absolutely no document to show that the concerned workman was transferred to the Town department as Munshi. WW-3 Ramjit Singh who is the Secretary of Jitpur Branch of (INMEWA) has stated in his cross-examination that he had seen the paper of transfer the concerned workman from Tyndal to the Town Administration at the time he had represented his case before the conciliation. WW-3 has stated that the said order of Transfer did not mention about the transfer of the concerned workman as Munshi. This evidence also shows that there was absolutely no order of transfer of the concerned workman to show that he was transferred as Munshi in the Town department.

The concerned workman WW-2 has stated about the specific work being done by him in the distribution of coal to the employees in the Town department. He has stated that as Munshi he used to distribute coal to the officers and employees in the colony and Dhowra and that he used to take coal from the dump for supply to the employees. He has stated that he used to take the coal for distribution in the colony in the transfer and mazdoor used to accompany him for unloading and carrying the coal to the employees. He has proceeded further to say that he used to prepare the slip in the names of the persons to whom the coal was being supplied and the employees to whom the coal was delivered used to put their signature on the slips after receiving coal. He has stated that Ayodhya Kahar had never performed the said duties which he used to perform. From his above evidence it will appear that the concerned workman was taking the coal from the dump of supplying the coal to the employees and officers and for that purpose he used to prepare the slip in the names of the persons to whom the coal was to be supplied. This evidence shows that the concerned workman was preparing slips in the names of the persons to whom the coal was to be supplied. He has not stated in his examination-in-Chief regarding any other job being performed by him and did not state that he was maintaining any register of receipt and distribution. In the cross-examination he has stated that the register is maintained in respect of the receipt of coal in the depot from Chasnalla Washery and its distribution to the employees. In the cross-examination he has stated that he maintains the said register. He has denied that the Labour Inspector Shri J. K. Singh used to maintain the said register upto 1980 and that those registers were maintained by Ayodhya Kahar after 1980. He has stated that page No. 5 to 8 of receipt of meddlins from Chasnalla Washery to Jitpur depot marked Ext. M-1 is in his writing but he cannot say as to who had written the other pages of the said register. He has admitted that the said register does not contain his signature and that it is signed by Shri Mishra, Welfare Officer. He cannot say as to who

had written Ayodhya in Register Ext. M-1. He could not say as to who had written the three registers shown to him and marked as Ext. X, X-1 and X-2 for identification which was subsequently marked as Ext. M-3, M-4 and M-5 respectively by MW-1. WW-2 has stated in his cross-examination that the register of distribution of middlings Ext. M-2 is entirely written by him. The management has challenged that Ext. M-2 is written by Ayodhya Kahar which contains the signature of Ayodhya Kahar. He has admitted that Ext. M-2 is not signed by him. He has stated that the register of distribution of middling marked 'X' for identification was not written by him and the said register was subsequently marked as Ext. M-6 by MW-1. According to the case of the workman the concerned workman was working as Munshi since 1978 and accordingly it is expected that the concerned workman was maintaining the registers of receipt of coal and its distribution to the employees since 1978. As discussed above it will appear that the concerned workman has stated that he had written pages 5 to 8 as Ext. M-1 and that Ext. M-2 was written by him. The management has stated that even those registers have been written by Ayodhya Kahar and signed by him. On perusal of Ext. M-1 it will appear that page-5 is blank and page 6, 7 and 8 is signed by Ayodhya, MW-1 and MW-2 have stated all the registers Ext. M-1 to M-6 have been written by Ayodhya Kahar. MW-2 has specifically stated that he knows the writing of Ayodhya Kahar and that the writing in pages 5 to 8 in Ext. M-1 are in the writing of Ayodhya Kahar. Ext. M-1 is for the period from 3-1-84 to 21-7-84 when admittedly Ayodhya Kahar had become clerk Grade-III and it cannot be expected that the concerned workman was allowed to write only 3 pages in Ext. M-1 and Ext. M-2 under the signature of Ayodhya Kahar. On perusal of Ext. M-2 it will appear that Ayodhya Kahar has signed this register at some place and it does not have the signature of the concerned workman in any of the pages. This register is from October, 1984 to November, 1985, and it cannot be expected that when Ayodhya Kahar was admittedly working as Munshi in 1985 he would have allowed the concerned workman to write Ext. M-3. Further it will appear that Ext. M-3 is the coal receipt register from March, 1980 to 17-3-83. It is signed by Ayodhya Kahar at the close of the entry. Ext. M-4 is from 1-1-79 to 28-8-80. Ext. M-5 is from 3-1-77 to 30-12-78. All these registers bear the signature of Ayodhya and do not bear the signature of the concerned workman. Had the concerned workman been working as a Munshi and was writing those registers he should have said in his cross-examination as to who had written the registers Ext. X, X-1, X-2 which were subsequently marked as Ext. M-3, M-4 and M-5. It is clear therefore that Ext. M-3 to M-5 were not written by the concerned workman and it was formerly written by the Welfare Inspector and Ayodhya Kahar. Ext. M-6 is the distribution register for the period 17-4-78 to 30-12-78. This register is also not in the writing of the concerned workman and as stated by MW-1 and MW-2. It is written by Ayodhya Kahar. It will appear from the above documents that the concerned workman even according to his evidence had not written the register Ext. M-3 to M-6 and portions of Ext. M-1 other than pages 5 to 8. There was no reason as to why the concerned workman would have written only 3 pages of Ext. M-1 and Ext. M-2 when the registers prior to it and subsequent to it have been written by Ayodhya Kahar and some registers by the Welfare Inspector prior to his transfer in 1980. Taking all the evidence into consideration it is clear that WW-2 has stated falsely that he had written page No. 5 to 8 of Ext. M-1 and whole of register Ext. M-2. I further hold that all these registers were being maintained by Ayodhya Kahar. WW-3 Secretary of Jitpur Branch is not connected with the work of Town Administration and as such he was unable to say as to what specific job was being performed by the concerned workman. WW-1 Mahabir Singh is working as General Mazdoor who has stated that the concerned workman was working as Munshi since 1978. He has admitted that Ayodhya Kahar is presently working as Clerk. He has also stated that formerly Ayodhya Kahar used to prepare slips for the supply of coal when Ayodhya Kahar was working as Peon in Cat. II. He has further stated in his cross-examination that the slip containing the name of the employees to whom coal was being supplied was prepared by the officer. He has also stated that the Coal is received in the depot by the officer and in his absence by Ayodhya Kahar. He has not stated that the concerned workman used to receive coal in the depot in the absence of the officer. He has stated that he cannot say if

Ayodhya Kahar maintains the accounts of receipt of coal and supply of coal to the employees and he has not specifically stated that the concerned workman is maintaining the accounts of receipt and supply of coal to the employees. WW-1 and WW-2 have tried to show that there was no Shri J. K. Singh, Welfare Inspector from 1978 to 1980 looking after the coal depot. But WW-3 has stated that Shri J. K. Singh was Labour Inspector in Jitpur but subsequently became the Labour Officer. WW-1 and WW-2 were trying to suppress the existence of Shri J. K. Singh as Welfare Inspector as they were aware that J. K. Singh was working as Welfare Inspector and was looking after the receipt and distribution of coal prior to his transfer. It will appear from the evidence of WW-1 that the concerned workman used to accompany the trucks for the supply of coal in the colony since he joined the services. He has also stated that the concerned workman knows a little of reading and writing. Thus according to him the concerned workman was accompanying the trucks for the supply of coal in the colony and he has not stated of any Clerical work being done by the concerned workman. WW-1 and WW-2 have clearly stated that Ayodhya Kahar was working as Munshi and that the concerned workman was only doing the work of distribution of the coal to the employees and used to accompany the trucks and used to obtain the signature of the employees to whom the coal was supplied out of the list which was prepared from before. On considering the above evidence it will appear that the concerned workman had not ever worked as Munshi and that Ayodhya Kahar had actually worked as a Munshi and as such he was designated as Munshi in Clerical Grade-III vide settlement between the management and the Secretary of Colliery Staff Association vide Ex. W-7.

The concerned workman has admitted that he was formerly a member of the colliery Staff Association. It was suggested to him that he became a member of INMEWA after Ayodhya Kahar was given Clerical Grade-III. The concerned workman stated that he was a member of INMEWA since before that. WW-3 who is the Secretary Jitpur Branch of INMEWA has stated that the clerical staff of the collieries are not the members of his union. If the concerned workman had been working as a Clerk he could not have been a member of INMEWA. If the concerned workman was a member of INMEWA it appears from the evidence of W.W.-3 that as

concerned workman was a Tyndal he was being treated as an engineering worker and therefore was a member of INMEWA. WW-3 has not filed any paper to show that the concerned workman was a member of INMEWA and as to when he became its member. If the concerned workman had been a member of INMEWA at the time when Ayodhya Kahar was designated as Munshi in Clerical Grade-III vide the settlement Ext. W-7, the INMEWA must have raised the dispute in respect of the concerned workman at the time of settlement or soon thereafter. It will appear that INMEWA raised the industrial dispute on behalf of the concerned workman vide Ext. W-1 dt. 15/16-1-85 for the first time and that no industrial dispute had been raised soon after the settlement Ext. W-7 dt. 4-8-82. It is doubtful whether the concerned workman was a member of INMEWA at the time when the settlement Ext. W-7 was arrived at and there is no wonder that the concerned workman was a member of Colliery Staff Association at the time when the settlement was arrived at as is being alleged by the management. The documents of membership and receipts are maintained by the union and if the concerned workman was a member of INMEWA since long. WW-3 who was the Secretary of INMEWA must have produced the same. The non-production of any paper to show that the concerned workman was a member of INMEWA leads us to the inference that the concerned workman was not a member of INMEWA or might have become member of INMEWA at the time of raising the dispute.

In view of the discussions made above that the concerned workman was not working as a Munshi in the Town Administration he is not entitled to Clerical Grade-III as is being claimed by him.

In the result, I hold that the demand of the INMEWA for regularisation of the concerned workman Shri Chandreswar Singh as Munshi in Cat. IV/Clerical Grade-III in Noonidih Jitpur of M/s. IIS CO. Ltd. is not justified and as such the concerned workman is not entitled to no relief.

This is my Award.

I. N. SINHA, Presiding Officer
[No L-20012/117/85-D. III (A)]
P. V. SREEDHARAN, Desk Officer

